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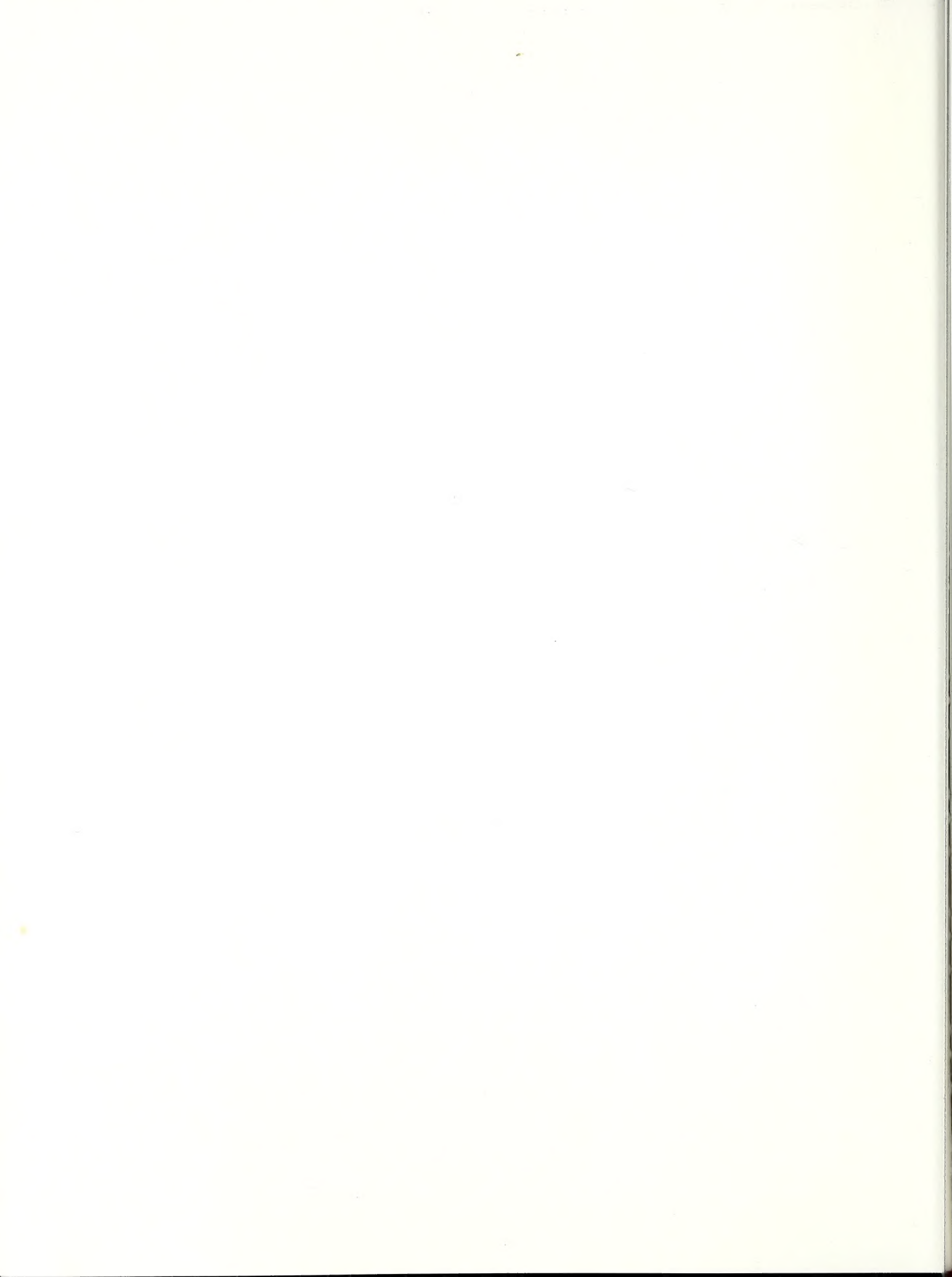
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JOURNAL OF PROCEEDINGS
OF THE
City-County Council
OF
INDIANAPOLIS-MARION COUNTY
State of Indiana
FROM
January 1, 1995 to December 31, 1995

Printed and Published Under the Authority of the
City-County Council of Indianapolis-Marion County



**CITY-COUNTY OFFICIALS
AND
EXECUTIVE PERSONNEL**

As of December 31, 1995

Mayor Stephen Goldsmith

CITY-COUNTY COUNCIL OFFICERS

President Beurt R. SerVaas
Vice President/Majority Leader W. Tobin McClamroch
Minority Leader Rozelle Boyd
Clerk of the Council Suellen Hart

CITY-COUNTY COUNCIL MEMBERS

First District Gordon G. Gilmer
Second District Beurt R. SerVaas
Third District William G. Schneider
Fourth District William A. Dowden
Fifth District Linda Beadling
Sixth District Elwood C. Black
Seventh District Stuart W. Rhodes
Eighth District Randy J. Shambaugh
Ninth District Monroe Gray, Jr.
Tenth District Paul Jones
Eleventh District Rozelle Boyd
Twelfth District Jody Tilford
Thirteenth District Cory O'Dell
Fourteenth District Z. Mae Jimison
Fifteenth District Mary B. Moriarty Adams
Sixteenth District Maggie M. Brents
Seventeenth District Jeffrey Golc
Eighteenth District Phillip Hinkle
Nineteenth District Kenneth Giffin
Twentieth District Timothy M. Mullin
Twenty-first District Frank T. Short
Twenty-second District Susan Williams
Twenty-third District David Smith
Twenty-fourth District Beulah A. Coughenour
Twenty-fifth District Philip Borst
At Large Carlton E. Curry
At Large Ron Franklin
At Large W. Tobin McClamroch
At Large Stephen R. West

COMMITTEES OF THE CITY-COUNTY COUNCIL

Committee on Committees

Beurt SerVaas, Chairman
Rozelle Boyd
Stephen West

Administration and Finance

Stuart Rhodes, Chairman
Elwood Black
Beulah Coughenour
Z. Mae Jimison
Randy Shambaugh
Frank Short
Jody Tilford

Capital Asset Management

Gordon Gilmer, Chairman
Linda Beadling
Maggie Brents
William Dowden
Phillip Hinkle
Tim Mullin
Cory O'Dell
Susan Williams

Community Affairs

Cory O'Dell, Chairman
Elwood Black
Maggie Brents
Beulah Coughenour
Ron Franklin
Monroe Gray, Jr.
David Smith
Jody Tilford
Stephen R. West

Economic Development

Philip Borst, Chairman
Ron Franklin
Jeff Golc
Paul Jones
Timothy Mullin
David Smith
Jody Tilford
Susan Williams

Metropolitan Development

Stephen R. West, Chairman
Rozelle Boyd
Maggie Brents
Gordon Gilmer
Phillip Hinkle
David Smith
Susan Williams

Municipal Corporations

William Schneider, Chairman
Linda Beadling
Elwood Black
Carlton Curry
Kenneth Giffin
Jeffrey Golc
Cory O'Dell
Randy Shambaugh
Frank Short

Parks and Recreation

Kenneth Giffin, Chairman
Jeff Golc
Monroe Gray, Jr.
Paul Jones
Cory O'Dell
Stuart Rhodes
William Schneider
Randy Shambaugh

Public Safety & Criminal Justice

William Dowden, Chairman
Philip Borst
Carlton Curry
Ron Franklin
Z. Mae Jimison
Mary Moriarty
Tim Mullin
William Schneider
Stephen R. West

Public Works

Beulah Coughenour,
Chairman Linda
Beadling
Rozelle Boyd
Gordon Gilmer
Monroe Gray, Jr.
Phillip Hinkle
Paul Jones
Mary B. Moriarty Adams
Stuart Rhodes

Rules and Public Policy

Carlton Curry, Chairman
Philip Borst
Rozelle Boyd
William Dowden
W. Tobin McClamroch
Beurt SerVaas
Frank Short

CALENDAR OF SESSIONS OF THE CITY-COUNTY COUNCIL

January 09, 1995	May 08, 1995	September 11, 1995
January 23, 1995	May 22, 1995	September 25, 1995
February 13, 1995	June 12, 1995	October 16, 1995
February 27, 1995	June 26, 1995	October 30, 1995
March 20, 1995	July 17, 1995	November 20, 1995
April 10, 1995	August 01, 1995	December 11, 1995
April 24, 1995	August 28, 1995	

CITY OFFICIALS

Deputy Mayor.....	Joseph Loftus
Deputy Mayor.....	Irma Neal
Office of Controller	James H. Steele, Jr.
Purchasing Division.....	Andrea Knox Gregg
Office of Corporation Counsel	Sue Beesley
Office of Youth and Family Services	Irma Neal
Cable Communications Agency	Ken Montgomery
Internal Audit.....	Michael Humphreys
Department of Administration.....	Joseph Loftus
Department of Metropolitan Development.....	Elaine Bedel
Department of Parks and Recreation	Raymond Wallace
Department of Public Works	Michael Stayton
Department of Public Safety.....	Michael E. Beaver
Department of Capital Asset Management.....	Greg Henneke

MARION COUNTY OFFICIALS

Clerk of the Circuit Court.....	Sarah Taylor
Community Corrections.....	Julie von Arx
Cooperative Extension Service.....	Ned Kalb
Court Administrator Agency	Stephen Engelking
County Assessor	Bernard J. Gohmann, Jr.
County Auditor	John von Arx
County Commissioner	Bernard J. Gohmann, Jr.
County Commissioner	John von Arx
County Commissioner	Mary A. Buckler
County Coroner	Karl Manders, M.D.
County Election Board	Sarah Taylor
County Prosecutor	Scott Newman
County Recorder.....	Joan Romeril
County Surveyor.....	Jack A. Irwin, L.S.
County Treasurer	Mary A. Buckler
County Sheriff	Jack Cottey
Forensic Services Agency.....	James Hamby
Information Services Agency	Thomas Olsen
Marion County Children's Guardian Home.....	Paul Browne
Marion County Healthcare Center	Kenneth Adkins
Marion County Justice Agency.....	Michael Beaver
Marion County Public Defender Agency	David Cook
Voters Registration	Janet E. Richhart

TOWNSHIP ASSESSORS

Center Township Assessor.....	James P. Maley, Jr.
Decatur Township Assessor.....	Charles L. Coleman
Franklin Township Assessor.....	Clara L. Druen
Lawrence Township Assessor	Jack Graves
Perry Township Assessor.....	Mary K. Gillum
Pike Township Assessor	Marilyn M. Smith
Warren Township Assessor	Allen L. Durnil
Washington Township Assessor.....	Richard L. Cunningham
Wayne Township Assessor	Charles R. Spears

COURTS

Marion County Circuit Court.....	John M. Ryan
Marion County Drug Court	Jay Haggerty
Municipal Court, Presiding Judge	Evan Goodman
Superior Court, Criminal, 1	Paula E. Lopossa
Superior Court, Criminal, 2	Webster L. Brewer
Superior Court, Criminal, 3	John R. Barney, Jr.
Superior Court, Criminal, 4	Patricia J. Gifford
Superior Court, Criminal, 5	Gary L. Miller
Superior Court, Criminal, 6	Carr Darden
Superior Court, Criminal Probation.....	George Walker
Superior Court, Juvenile Division	James W. Payne
Superior Court, Probate Division.....	Charles J. Deiter
Superior Court, Civil, 1	Anthony J. Metz III
Superior Court, Civil, 2	Kenneth H. Johnson
Superior Court, Civil, 3	Patrick L. McCarty
Superior Court, Civil, 4	Cynthia J. Ayers
Superior Court, Civil, 5	James S. Kirsch
Superior Court, Civil, 6	John F. Hanley
Superior Court, Civil, 7	Gerald S. Zore
Superior Court, Title IV-D Court	Barbara A. Collins

MEMBERS OF OFFICIAL BOARDS

City-County Administrative Board

Joe Loftus, Chairwoman
John von Arx
James H. Steele, Jr.
Ruby Miller
Ray Battey

License Review Board

Bradley Skolnik, Chairman
Cindy Beeman
Kris Butler

Metropolitan Development Commission

Walter Niemczura, President
Lance Bundles
Steve Schaefer
James J. Curtis, Sr.
Jack Hall
Lillian Charleston
Mary Anne Mills
Mel Seitz
Randolph L. Snyder

Board of Zoning Appeals, Division I

Alan Retherford, Chairman
Carol Joseph
Richard Davis
Joseph Perkins
Joanna Walker

Board of Zoning Appeals, Division II

Diane Liptack, Chairman
Joseph Rink
Barbara Evans
Isaac Randolph
Frank Russell

Board of Zoning Appeals, Division III

W. James Wood, Chairman
Robert Lugar
Mary Jane Klepek
Timothy Sexton
Robert Stewart

Indianapolis Historic Preservation Commission

George W. Geib, President
William A. Browne
John R. Cox
Julie A. Davis
Lori Efroymson
Amy McDonnell
Wayne Patrick
Anne E. Scheele
Josephine Weathers-Rogers

Air Pollution Control Board

Robert S. Daly, Chairman
Dwight Boyd
Bernard O. Paul
William W. Brown
David W. Hoppock
R. Bruce Wallace
Blake R. Jeffery
Jodie L. Crandell
Lisa McCallum

Board of Public Works

Michael Stayton, Chairman
Tony Buford
Larry Tunget
Sheila C. Hoffman
Kenneth W. Hughes

Police Merit Board

Alan R. Kimbell, Chairman
John Hammond
George Stergiopoulos
Michael E. Morken
Violet Gwin
Jeff Oberlies

Fire Merit Board

Patricia L. Chastain, President
Ralph Winkler
Sarah Drye
Jose Antonio Cuevas
C. Michael Pitts
Martin J. Yohler

Board of Public Safety

Michael Beaver, President
Elliott Nelson
Rudolph Hightower
Lisa K. Decker
Richard A. Dickenson

Board of Parks and Recreation

Raymond Wallace, Chairman
Charles E. Kendall
Diana Wilson Hall
R. Anthony Prather
Sally Lanham

Transportation Board

Greg Henneke, Chairman
Howard Howe
Arno W. Haupt
Charles S. Eberhardt, II
Moira Carlstedt

History of the Common Council of the City of Indianapolis

Indianapolis was established as a town in 1821. It was at this time that a commission, appointed by the legislature, selected this location as a site for a seat of government of the State of Indiana.

The town of Indianapolis conducted its affairs pursuant to the general laws of the state until 1832. In this year the town was incorporated and was governed by a board of five trustees.

In 1838, pursuant to a special act of the legislature, Indianapolis was reincorporated and placed in the hands of its first town council composed of a president and six members.

The Common Council continued in a large measure to control the affairs of Indianapolis as a town and as a city under various so-called charters or grants of the legislature until 1891.

Under a special act of the legislature of 1891 for the city of Indianapolis, a somewhat different form of government was established. While the council continued to exercise broad control over the city's affairs, various executive departments of the city were provided such as Public Works, Public Safety, Public Parks and Public Health, and were conducted by boards appointed by the mayor. These boards were granted specific powers and duties concerning the city's business previously exercised by the council through committees subject, however, in some cases to approval of the council in all matters of expenditure of money and appropriation of funds by the council.

For some time prior to 1891 the city of Indianapolis was divided into 25 wards represented by 25 ward councilmen. Their term of office was two years and they were eligible for re-election. At this time there was also a separate body operating in conjunction with the council called the Board of Aldermen, composed of ten aldermen representing five aldermanic districts, two being elected from each district.

Under the 1891 act, the Board of Aldermen was abolished and a common council of 21 members was established. Fifteen members were elected to represent 15 wards and six members were elected to represent the city at large.

This form of council continued to exist in Indianapolis under the general cities and towns act of 1905. The act of 1905, while often referred to as the Indianapolis Charter, is very largely a re-enactment of the 1891 Indianapolis Charter, modified to make the Indianapolis system applicable to all classes of cities of the state. The 1905 law increased the term of mayor and councilman to four years and prohibited re-election.

In 1909 a novel councilmanic law for Indianapolis alone was passed by the legislature. That law limited the number of councilmen to nine. The law provided for the nomination of six candidates by each party, one from each of six councilmanic districts. In the election all of the voters of the city could vote for any nine candidates and the nine receiving the highest number of votes were elected. This law insured a minority representation in the council of at least three members. In 1949 the legislature amended the statutes to permit councilmen to succeed themselves.

History of the City-County Council of the City of Indianapolis

In 1969 the legislature enacted a law, popularly known as the "Unigov Act," which consolidated the city and county into one governmental unit. The act further provided for the creation of an interim City-County Council which served as the legislative body for the city and county until the new twenty-nine member council was elected in November 1971 and took office in January of 1972.

The council is composed of twenty-five members elected from single member districts and four members elected to at-large by voters of the entire county.

Unified Government of Indianapolis-Marion County is an attempt to make metropolitan government simpler, more functional and more responsive to citizens' needs. Under the new structure, six major departments replaced the more than sixty which were in existence previously.

EXECUTIVE HEADS OF THE CITY OF INDIANAPOLIS UNDER VARIOUS FORMS OF ORGANIZATION

PRESIDENTS OF BOARDS OF TRUSTEES

Henderson, Samuel	October 12, 1832 to September 30, 1833
Edgar, James (resigned as Trustee)	September 30 to December 9, 1833
Blythe, Benjamin I.	March 7, 1834 to February 14, 1835
Morrison, Alexander F.	February 14 to October 2, 1835
Palmer, Nathan B.	October 2, 1835 to April 13, 1836
Lockerbie, George.....	April 13, 1836 to April 4, 1837
Soule, Joshua.....	April 3, 1837 to April 2, 1838

PRESIDENTS OF TOWN COUNCIL

Morrison, James	1838 to 1839
Palmer, Nathan B.	1839 to 1840
Coburn, Henry P.	1840 to 1841
Sullivan, William (resigned November 12, 1841)	1841
Culley, David V.	1841 to 1844; 1850 to 1853
Wilson, Lazarus B.	1844 to 1845
Levy, Joseph A.	1845 to 1847
Rooker, Samuel S. (resigned November 1, 1847).....	1847
Cady, Charles W.	1847 to 1848

MAYORS

Henderson, Samuel	1847 to 1849
Newcomb, Horatio C. (resigned November 7, 1851)	1849 to 1851
Scudder, Caleb	1851 to 1854
McCreedy, James	1854 to 1856
West, Henry F. (died November 8, 1856)	1856
Coulon, Charles (to fill vacancy until November 22, 1856).....	1856
Wallace, William John (resigned May 3, 1858).....	1856 to 1858
Maxwell, Samuel D.	1858 to 1863
Caven, John.....	1863 to 1867; 1875 to 1881
Macauley, Daniel	1867 to 1873
Mitchell, James L.	1873 to 1875
Grubbs, Daniel W.	1881 to 1884
McMaster, John L.	1884 to 1886
Denny, Caleb S.	1886 to 1890
Sullivan, Thomas L.	January 1, 1890 to October 12, 1893
Denny, Caleb S.	October 12, 1893 to 1895
Taggart, Thomas	October 10, 1895 to 1901
Bookwalter, Charles A.	October 10, 1901 to 1903
Holtzman, John W.	October 15, 1903 to 1905
Bookwalter, Charles A.	1905 to 1909
Shank, Samuel Lewis (resigned November 28, 1913).....	1910 to 1913
Wallace, Harry R.	1913
Bell, Joseph E.	1914 to 1917
Jewett, Charles W.	1918 to 1921
Shank, Samuel Lewis.....	1922 to 1925
Duvall, John L. (disqualified September 22, 1927)	1926 to 1927

Slack, L. Ert.....	1927 to 1929
Sullivan, Reginald H.	1930 to 1934
Kern, John W. (resigned September 2, 1937)	1935 to 1937
Boetcher, Walter C.....	1937 to 1938
Sullivan Reginald H.	1939 to 1942
Tyndall, Robert H. (died July 9, 1947).....	1943 to 1947
Denny, George L.....	1947
Feeney, Al G. (died November 12, 1950).....	1948 to 1950
Bayt, Phillip L. (resigned November 24, 1951).....	1950 to 1951
Emhardt, Christian J.....	1951
Clark, Alex M.	1952 to 1956
Bayt, Phillip L. (resigned December 31, 1958).....	1956 to 1958
Boswell, Charles H. (resigned August 6, 1962).....	1959 to 1962
Losche, Albert H.	1962 to 1963
Barton, John J.....	1964 to 1968
Lugar, Richard G.	1968 to 1975
Hudnut, William H. III.....	1976 to 1991
Goldsmith, Stephen	1992

TABLE OF CONTENTS

1. Regular Session Journals.....	1
2. Proposal Index.....	1251
3. General Ordinance Index.....	1355
4. Fiscal Ordinance Index.....	1381
5. Special Ordinance Index.....	1402
6. General Resolution Index.....	1405
7. Council Resolution Index.....	1407
8. Special Resolution Index.....	1416
9. Rezoning Ordinance Index.....	1429
10. Police Special Service District Council Index.....	1455
11. Fire Special Service District Council Index.....	1456
12. Solid Waste Special Service District Council Index.....	1457

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, JANUARY 9, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:18 p.m. on Monday, January 9, 1995, with Councillor SerVaas presiding.

Councillor Gilmer introduced Rev. J. K. Stevens, Trader's Point Christian Church, who led the opening prayer. Councillor Gilmer invited all present to join him in the Pledge of Allegiance to the Flag. Councillor Gilmer also introduced Rev. Stevens' parents, Bob and Maxine Stevens.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

A quorum of twenty-nine members being present, the President called the meeting to order.

ORGANIZATION OF COUNCIL

Selection of Temporary Presiding Officer

The President asked Robert G. Elrod, Parliamentarian, to act as the temporary chairman of the meeting. The President passed the gavel to Mr. Elrod.

Election of Officers

Mr. Elrod opened the floor for nominations for President of the Council. Councillor Gilmer nominated Councillor SerVaas for President. Councillor Coughenour seconded the

nomination. Councillor Giffin moved, seconded by Councillor Short, to close nominations. Nominations were closed by unanimous voice vote, thereby electing Councillor SerVaas as President.

Mr. Elrod opened the floor for nominations for Vice President. Councillor Hinkle nominated Councillor McClamroch for Vice President. Councillor Gilmer moved, seconded by Councillor Short, to close nominations. Nominations were closed by unanimous voice vote, thereby electing Councillor McClamroch as Vice President.

Mr. Elrod opened the floor for nominations for Clerk of the Council. Councillor Coughenour nominated Suellen Hart for Clerk of the Council. Councillor Dowden moved, seconded by Councillor Black, to close nominations. Nominations were closed by unanimous voice vote, thereby electing Suellen Hart as Clerk of the Council.

Mr. Elrod returned the gavel to President SerVaas.

Certification of Caucus Leaders

The President stated that he has certifications that Councillor McClamroch has been selected as leader of the Republican Caucus and Councillor Boyd has been selected as leader of the Democrat Caucus.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, January 9, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

December 20, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, December 22, 1994, a copy of LEGAL NOTICE on General Ordinance Nos. 160, 161 and 163, 1994.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

January 9, 1995

Corrected sections of General Ordinance No. 160, 1994 were reprinted in the Indianapolis Commercial on 1/4/95 and in the Indianapolis News on 1/9/95.

December 14, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinance:

SPECIAL RESOLUTION NO. 86, 1994 - amending S.R. No. 78, 1994 by increasing the amount of the inducement resolution to an amount not to exceed \$8,200,000 for Post Pointe Partners, Ltd. for the acquisition, construction, renovation, installation and equipping of the existing 362 unit multifamily residential rental project known as Post Pointe Apartments located at 9027 East 39th Place, on approximately 21.63 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (District 14)

Respectfully,
s/Stephen Goldsmith, Mayor

December 15, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

GENERAL ORDINANCE NO. 164, 1994 - amending the Code by authorizing a traffic signal at 86th Street and Haverstick Road (Districts 3, 7)

GENERAL ORDINANCE NO. 165, 1994 - amending the Code by authorizing a passenger and material loading zone for One Penn Partners on Washington Street (District 16)

GENERAL ORDINANCE NO. 166, 1994 - amending the Code by authorizing stop signs for the Maple Glen subdivision (District 24)

GENERAL ORDINANCE NO. 167, 1994 - amending the Code by authorizing stop signs for Guion Lakes subdivision (District 9)

GENERAL ORDINANCE NO. 168, 1994 - amending the Code by authorizing stop signs for the Shadow Ridge subdivision (District 4)

GENERAL ORDINANCE NO. 169, 1994 - amending the Code by authorizing intersection controls for Liberty Creek subdivision (District 1)

GENERAL ORDINANCE NO. 170, 1994 - amending the Code by authorizing a multi-way stop at the Moore Road and 88th Street (District 1)

GENERAL ORDINANCE NO. 171, 1994 - amending the Code by authorizing a multi-way stop at 13th Street and Downey Avenue (District 15)

GENERAL ORDINANCE NO. 172, 1994 - amending the Code by authorizing a multi-way stop at County Line Road East and 56th Street (District 5)

GENERAL ORDINANCE NO. 173, 1994 - amending the Code by authorizing a multi-way stop at Waldemere Avenue and Chelsea Road (District 19)

GENERAL ORDINANCE NO. 174, 1994 - amending the Code by authorizing a multi-way stop at Burke Street and Conaroe Street (District 19)

GENERAL ORDINANCE NO. 175, 1994 - amending the Code by authorizing a multi-way stop at Layman Avenue, 40th Street and Ritter Avenue (District 14)

Journal of the City-County Council

GENERAL ORDINANCE NO. 176, 1994 - amending the Code authorizing a multi-way stop at Arabian Run and West 48th Street (District 9)

GENERAL ORDINANCE NO. 177, 1994 - amending the Code by authorizing stop signs at Legrande Avenue and Hobart Road and at Legrande Avenue and Nolan Avenue (District 21)

GENERAL ORDINANCE NO. 178, 1994 - amending the Code by authorizing a multi-way stop at Ritter Avenue, Connection Avenue and Troy Avenue (Districts 13, 23)

GENERAL ORDINANCE NO. 179, 1994 - amending the Code by authorizing a multi-way stop at Bancroft Avenue and Walnut Street (District 15)

GENERAL ORDINANCE NO. 180, 1994 - amending the Code by authorizing parking restrictions for College Avenue, on the westside, from 11th Street to 700' north of 11th Street (District 22)

GENERAL ORDINANCE NO. 181, 1994 - amending the Code by authorizing parking restrictions on Bayhead Drive from 34th Street to 38th Street (District 8)

GENERAL ORDINANCE NO. 182, 1994 - amending the Code by authorizing parking restrictions on Ohio Street, on the southside, from Bellview Place to Mount Street; and on Mount Street, on the westside, from Ohio Street to 215 feet south of Ohio Street (District 17)

FISCAL ORDINANCE NO. 119, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$6,812 to utilize an increase in the Family Social Services Administration grant for fiscal year 1994-95 which provides Adult Protective Services through the Prosecuting Attorney financed by a state grant

FISCAL ORDINANCE NO. 120, 1994 - an appropriation from the Home Detention User Fee Fund in the amount of \$245,130 to fund staff positions, home detention equipment and office supplies for fiscal year 1994-95 for Community Corrections financed by unappropriated revenues from that fund

FISCAL ORDINANCE NO. 121, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$45,000 for the Marion County Public Defender Agency to cover the expenses of the pretrial release and sentencing resources project financed by a state grant

FISCAL ORDINANCE NO. 123, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$71,350 for the Superior Court, Criminal Division, Probation Department, to fund additional staff and computer equipment financed by a state grant

FISCAL ORDINANCE NO. 124, 1994 - an appropriation from the Sanitation General Fund in the amount of \$2,132,806 for the Department of Public Works (DPW), Storm and Wastewater Management Division, to cover unanticipated expenses related to the transition to contract management of the Advanced Wastewater Treatment facility financed by equal reductions in DPW's Maintenance Operations Division and Solid Waste Management Division

FISCAL ORDINANCE NO. 125, 1994 - approves reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget in the amount of \$1,221,916 in the Department of Public Works' (DPW), Maintenance Operations Division and Solid Waste Management Division in support of increased expenditures in DPW's Storm and Wastewater Management Division related to unanticipated expenses in the transition to contract management of the Advance Wastewater Treatment facility

FISCAL ORDINANCE NO. 126, 1994 - an appropriation from the Maintenance Operations General Fund and Consolidated County Fund in the amount of \$650,000 for the Department of Public Works, Maintenance Operations Division, to purchase capital equipment and supplies for the new customer service response team and the street and sewer maintenance area financed by transferring other appropriated funds from DPW's Maintenance Operations Division and Administration

FISCAL ORDINANCE NO. 127, 1994 - an appropriation from the County General Fund in the amount of \$41,800 for the Court Administrator Agency to pay the expenses associated with maintaining current materials for the Law Library and courts and to purchase computer equipment for the Jury Pool Coordinator's Office and General Term Reporter financed by transferring other appropriations for that agency

FISCAL ORDINANCE NO. 130, 1994 - an appropriation from the County General Fund in the amount of \$8,000 for the Marion County Public Defender Agency to purchase new computers financed by transferring other appropriations for that agency

SPECIAL RESOLUTION NO. 83, 1994 - recognizing Indiana's Elementary Principal of the Year, Susan K. Brash

SPECIAL RESOLUTION NO. 84, 1994 - commending Purdue University

January 9, 1995

SPECIAL RESOLUTION NO. 85, 1994 - recognizing powerlifter Krista Ford

SPECIAL RESOLUTION NO. 87, 1994 - amending S.R. No. 54, 1994 by extending the expiration date through June 30, 1995 for North American Laboratory Company, or a to-be-formed corporation, partnership or limited liability company, the shareholders, partners or members of which will be existing shareholders of North American Laboratory Company (Ronald H. Stern, Michael R. Oestreicher, Diana Oestreicher and Philip E. Himelstein) (District 9)

SPECIAL RESOLUTION NO. 88, 1994 - amending S.R. No. 124, 1991, as amended, by extending the expiration date for MTJ Enterprises, Inc. and ATF Automotive Group, Inc. through June 30, 1995 (District 16)

SPECIAL RESOLUTION NO. 89, 1994 - amending S.R. No. 84, 1990, as amended, by extending the expiration date for Meadows Revival, Inc. through June 30, 1995 (District 11)

SPECIAL RESOLUTION NO. 90, 1994 - amending S.R. No. 72, 1990, as amended, by extending the expiration date for Homeward Partners, Inc. through June 30, 1995 (Districts 16, 20)

SPECIAL RESOLUTION NO. 91, 1994 - amending S.R. No. 49, 1994 by extending the expiration date for the Jewish Federation of Greater Indianapolis, Inc. through June 30, 1995 and increasing the amount of the inducement resolution to an amount not to exceed \$13,000,000 (District 2)

SPECIAL RESOLUTION NO. 92, 1994 - an inducement resolution for Indianapolis Art Center, Inc. in an amount not to exceed \$3,000,000 for the acquisition, construction, installation and equipping of an approximately 40,000 square foot building to be located at 820 East 67th Street on approximately 7 acres of land which will be used by the Applicant as studio classes, library, auditorium and administration to carry out its not-for-profit purposes as an art teaching and resource center providing year-round programs in studio art classes; the acquisition of machinery, equipment and furnishing for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 2)

SPECIAL RESOLUTION NO. 93, 1994 - an inducement resolution for Pleasant Run Children's Homes, Inc. in an amount not to exceed \$7,600,000 for the acquisition, renovation, installation and equipping of an approximately 130,000 square foot building located at approximately 2300 Lafayette Road on approximately 14 acres of land which will be used by Pleasant Run to provide residential treatment services for children ages 6-18 years and to provide office space for Home-Based counseling, Therapeutic Fast Care, Residential Group Homes and Wrap-Around services; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 16)

SPECIAL RESOLUTION NO. 94, 1994 - approving the lease of the Marion County Healthcare Center

SPECIAL RESOLUTION NO. 95, 1994 - directing the Office of Youth and Family Services to use the \$700,000 in their budget to finance the operation of Community Centers of Indianapolis, Inc. for 1995

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of December 12, 1994. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 40, 1995. This proposal, sponsored by Councillors O'Dell, Ruhmkorff and McClamroch, recognizes the public service of Lawrence L. "Larry" Buell. Councillor O'Dell read the resolution and presented a copy of the document to Mr. Buell, who expressed appreciation for the recognition. Mr. Buell's wife was also present. Councillor O'Dell

moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 40, 1995 was adopted by unanimous voice vote.

The President recognized Mr. Buell's service, and he also acknowledged Councillor West's participation in locating federal funds for Wishard Hospital.

Proposal No. 40, 1995 was retitled SPECIAL RESOLUTION NO. 1, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 1, 1995

A SPECIAL RESOLUTION recognizing the public service of Lawrence L. "Larry" Buell.

WHEREAS, Lawrence L. "Larry" Buell is an exceptional example of citizen involvement in the governmental process; and

WHEREAS, a Certified Public Accountant with degrees from Ball State and Indiana Universities, Mr. Buell began with Magnavox in Fort Wayne, and spent most of the 1960's with Ernst and Ernst Accounting Firm in Indianapolis; and

WHEREAS, Mr. Buell was elected Treasurer of Marion County in 1968 for the first of two terms during which time his office averaged a 99.5% property tax collection rate, earned the county seven million dollars of investment interest and operated the office on a smaller budget in his last year than his first year; and

WHEREAS, he served in the Indiana General Assembly from 1980 to 1992, was Acting Controller of the Saturday Evening Post, and was Treasurer and Executive Director of the Marion County Health and Hospital Corporation since 1977; and

WHEREAS, Mr. Buell has served on the Board of Directors of the Shorewood Corporation, as President of the Indiana CPA Society and the Indiana Association of County Treasurers, and has been awarded the Sagamore of the Wabash Award by both Governor Orr and Governor Bayh; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the more than quarter century of active community service by Larry Buell.

SECTION 2. Mr. Buell retired from Health and Hospital Corporation on January 6, 1995, but the Eastside citizens have already returned him to the 1995 Indiana General Assembly.

SECTION 3. The Council wishes Larry, his wife Janis, and their children Larry, David and Amy well in the years ahead.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 41, 1995. This proposal, sponsored by Councillors Smith, Gray, Dowden, McClamroch, Short and Williams, concerns the 1999 World Police and Fire Games. Councillor Williams read the resolution and presented a copy of the document to the following representatives of the Indianapolis Police and Fire Departments: Dan Overley, Tom Miller, Wendy Smitko, Sam Denton, Andrea Overley and Tom Hanify. Mr. Overley expressed appreciation for the resolution. Councillor Williams moved, seconded by Councillor Gray, for adoption. Proposal No. 41, 1995 was adopted by unanimous voice vote.

Proposal No. 41, 1995 was retitled SPECIAL RESOLUTION NO. 2, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 2, 1995

A SPECIAL RESOLUTION concerning the 1999 World Police and Fire Games.

WHEREAS, the Indianapolis Police and Fire Departments, Firefighters Union Local 416 and the Fraternal Order of Police Lodge 86, are bidding to host the 1999 World Police and Fire Games in Indianapolis; and

WHEREAS, the World Games are held every two years, are open to sworn police officers and firefighters, will attract over 15,000 athletes and visitors to the Host City from all 50 U.S. states and 30 different nations and features 52 different sporting events; and

WHEREAS, Indianapolis representatives will make their formal bid presentation to the World Police and Fire Games Federation in Melbourne, Australia, on March 5, 1995, competing against Barcelona, Spain, Stockholm, Sweden and Milwaukee, Wisconsin; and

WHEREAS, the local police and firefighters successfully hosted the Regional Police and Fire Sports Festival in 1994; and Indianapolis offers world class venues, international sports experience, a keen spirit and desire by the Indianapolis police and fire organizers and community support; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council commends all those who are involved with Indianapolis' bid to host the 1999 World Police and Fire Games, and wishes them the best of success.

SECTION 2. Indianapolis would be an excellent choice of sites for the World Police and Fire Games.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 52, 1995. This proposal, sponsored by Councillor Hinkle, remembers Fred C. "Bud" Tucker, Jr. Councillor Hinkle read the resolution and presented a copy of the document to Fred C. Tucker III, who expressed appreciation for the recognition. Also present were Mr. Tucker's wife and son. Councillor Hinkle moved, seconded by Councillor Gilmer, for adoption. Proposal No. 52, 1995 was adopted by unanimous voice vote.

Proposal No. 52, 1995 was retitled SPECIAL RESOLUTION NO. 3, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 3, 1995

A SPECIAL RESOLUTION remembering Fred C. "Bud" Tucker, Jr.

WHEREAS, after serving in the U.S. Navy in World War II, Fred C. "Bud" Tucker, Jr. joined his family real estate firm as a sales associate; and

WHEREAS, as the years unfolded Bud Tucker helped bring this city's downtown to life, beginning with packaging the first new downtown hotel in 40 years--the Downtown Hilton; and

WHEREAS, later developments in the heart of Indianapolis included Market Square Arena, Indiana Square, Merchants Plaza, Market Square Office Building and the transformation of a closed hotel into the elegant Canterbury Hotel; and

WHEREAS, Bud Tucker shared his talent, energy and vision with his community and profession by serving as president and on the boards of several companies, Campaign Chairman of the United Way of Greater

Indianapolis, the Junior Chamber of Commerce, "500" Festival Associates, the Indianapolis Chamber of Commerce, city, state and national realtors associations and the local and national YMCA's; and

WHEREAS, in 1986, Bud Tucker sold his family's F.C. Tucker Company to his son and other partners, and sadly on December 9, 1994, this local legend passed from the scene; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council pauses to remember the active life of Fred C. "Bud" Tucker, Jr., and to give thanks for the physical and morale revitalization work he accomplished in this community.

SECTION 2. The Council extends its sympathy to his wife Ermajean Tucker, son Fred C. Tucker III, daughter Lucinda Ann Kirk and to their grandchildren.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 1, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code concerning industrial wastewater pretreatment"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 2, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at Shadeland Avenue and Lake Castleton Arms (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 3, 1995. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at 33rd Street and Kenwood Avenue (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 4, 1995. Introduced by Councillor Jimison. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Ritter Avenue and 41st Street (District 14)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 5, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Manning Road and Catalpa Street (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 6, 1995. Introduced by Councillor Ruhmkorff. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Edmondson Avenue and Springer Avenue (District 12)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 7, 1995. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a stop sign at Moreland Avenue and Southern Avenue (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 8, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a stop sign at Muskingham Street and Arch Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 9, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at 60th Street and Rosslyn Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 10, 1995. Introduced by Councillor Mullin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a stop sign at Benton Drive and Cynthia Drive (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 11, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Old Barn Circle and Old Barn Drive (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 12, 1995. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a yield sign at Kenwood Drive and Kenwood Court (District 3)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 13, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing one-way traffic flow on 21st Street between Pennsylvania Street and Talbott Street (eastbound); on 21st Street Annex between Talbott Street and Pennsylvania Street (westbound); and on 17th Street between Talbott Street and Delaware Street (eastbound) (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 14, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Ruby Miller to the City-County Administrative Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 15, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Clifford R. Snedeker to the Information Services Agency Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 16, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Mary Alice

(Dubbie) Buckler to the Information Services Agency Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 17, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing John von Arx to the Information Services Agency Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 18, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Phillip Hinkle to the Marion County Board of Tax Adjustment"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 19, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Joe M. Rink to the Cable Franchise Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 20, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing James E. Sawyers to the Cable Franchise Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 21, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Fredric A. Hunn to the Cable Franchise Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 22, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Phillip Hinkle to the Audit Committee"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 23, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Arno Haupt to the Board of Capital Asset Management"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 24, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Howard Howe to the Board of Capital Asset Management"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 25, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Randolph L. Snyder to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 26, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Isaac Randolph to the Metropolitan Board of Zoning Appeals Division II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 27, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Robert A. Stewart to the Metropolitan Board of Zoning Appeals Division III"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 28, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Mark DeFabis to the Indianapolis City-Market Corporation Board"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 29, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Philip D. Pecar to the Health & Hospital Corporation Board of Trustees;" and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 30, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Elliott Nelson to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 31, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Rudy Hightower to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 32, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Ann Curry to the Animal Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 33, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing J. Lloyd Grannan to the Animal Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 34, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Patricia S. Nickell to the Marion County Public Defender Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 35, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Dennis Nicholas, M.D. to the Indianapolis-Marion County Forensic Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 36, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Tony A. Buford to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 37, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Larry L. Tunget to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 38, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Urban I. Merl, Jr. to the Alcoholic Beverage Board of Marion County"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 39, 1995. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code concerning the Resources Development Division of the Indianapolis Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 42, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving a change in ownership of the cable television franchise now owned by Time Warner Entertainment Company, L.P."; and the President referred it to the Administration and Finance Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 43-51, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 5, 1995."

Councillor Smith made the following motion:

Mr. President:

I move that Proposal No. 44, 1995 (Rezoning Petition No. 94-Z-133) be scheduled for a hearing before this Council at its next regular meeting on January 23, 1995 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

This motion passed by unanimous voice vote. Proposal No. 44, 1995 is identified as follows:

94-Z-133 FRANKLIN TOWNSHIP. COUNCILMANIC DISTRICT # 23.
6621 HICKORY ROAD (approximate address), INDIANAPOLIS.
INDIANAPOLIS POWER & LIGHT COMPANY requests the rezoning of 8.4 acres, being in the D-A District, to the SU-18 classification to provide for an electrical substation.

The Council did not schedule Proposal Nos. 43, 45-51, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 43, 45-51, 1995 were retitled REZONING ORDINANCE NOS. 1-8, 1995 and are identified as follows:

REZONING ORDINANCE NO. 1, 1995. 94-Z-148 (Amended) PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 2.
7616 NORTH MICHIGAN ROAD (approximate address), INDIANAPOLIS.

NEIL P. ENGLEADOW, by Michael J. Kias, requests the rezoning of 0.80 acre, being in the D-5 and C-3 Districts, to the C-S classification to provide for the commercial development of a laundry, cleaning and garment services and a dry-cleaning plant and to provide for all uses as permitted by the C-1.

REZONING ORDINANCE NO. 2, 1995. 94-Z-207 (Amended) CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 23.

1924, 1908, 2002 and 2030 CHURCHMAN AVENUE (approximate address), BEECH GROVE.
ST. FRANCIS HOSPITAL CENTER, by J. Lee Robbins, requests the rezoning of 5.1 acres, being in the D-5 District, to the C-1 classification to provide for a medical office building.

REZONING ORDINANCE NO. 3, 1995. 94-Z-154 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 10.

6729-6747 EAST 38TH STREET (approximate address), INDIANAPOLIS.
HUBERT N. and ELLA G. SCOTT, by Michael J. Kias, request the rezoning of 0.35 acre, being in the D-3 and C-4 District, to the C-4 classification to provide for commercial use.

REZONING ORDINANCE NO. 4, 1995. 94-Z-187 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT # 2.

8503 EVERGREEN AVENUE (rear) (approximate address), INDIANAPOLIS.
A-CLASSIC RENTAL COMPANY, INC., by Michael A. Wukmer, requests the rezoning of 2.09 acres, being in the D-A and C-4 District, to the C-4 classification to provide for a commercial integrated center.

REZONING ORDINANCE NO. 5, 1995. 94-Z-195 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 24.

4727 SOUTH DENNY STREET (approximate address), INDIANAPOLIS.
STEVEN KIDWELL, by Steven R. Hall, requests the rezoning of 0.94 acre, being in the SU-1 District, to the D-2 classification to provide for a single-family residence, previously used as a parsonage for an adjacent church.

REZONING ORDINANCE NO. 6, 1995. 94-Z-197 FRANKLIN TOWNSHIP.
COUNCILMANIC DISTRICT # 23.

5583 STOP 11 ROAD (approximate address), INDIANAPOLIS.
KEENELAND CREST ASSOCIATES LLC requests the rezoning of 0.627 acres, being in the D-3 District, to the D-6II classification to correct the zoning of an entrance to an existing multi-family development.

REZONING ORDINANCE NO. 7, 1995. 94-Z-198 FRANKLIN TOWNSHIP.
COUNCILMANIC DISTRICT # 23.

5583 STOP 11 ROAD (approximate address), INDIANAPOLIS.
KEENELAND CREST ASSOCIATES LLC requests the rezoning of 1.035 acres, being in the D-6II District, to the D-3 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 8, 1995. 94-Z-199 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 16.

902 DR. MARTIN LUTHER KING JR STREET (approximate address), INDIANAPOLIS.
GREATER GETHSEMANE MISSIONARY BAPTIST CHURCH requests the rezoning of 0.869 acre, being in the I-3-U(RC) District, to the SU-1(RC) classification to provide for construction of an addition to an existing church and surface parking improvement.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 696, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 696, 1994 on December 20, 1994. The proposal amends the Comprehensive Zoning Maps of Marion County by updating base maps #30, #33, #35 and #45. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Hinkle, for adoption. Proposal No. 696, 1994 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Franklin*

Proposal No. 696, 1994 was retitled GENERAL ORDINANCE NO. 1, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 1, 1995
METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 94-AO-11

A GENERAL ORDINANCE to amend the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County, Indiana which Ordinance includes the COMPREHENSIVE ZONING MAPS OF MARION COUNTY, INDIANA, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana Ordinances for the zoning or districting of all lands within the County for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth, now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Comprehensive Zoning Maps of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 70-AO-4, as amended, pursuant to IC 36-7-4, be further amended to update specifically base maps #30, #33, #35 and #45 of said maps to include subsequent rezonings (which Comprehensive Zoning Maps, as amended, are attached hereto, incorporated herein by reference and made a part of this Ordinance); and all land within the area noted on the four sections of base map #30, the four sections of base map #33, the four sections of base map #35, and the four sections of base map #45 are hereby classified, divided and zoned in accordance with the zoning district classifications as designated upon said Comprehensive Zoning Maps, as amended, thereby updating said Comprehensive Zoning Maps to include various rezonings by individual legal description or map amendments adopted subsequent to Metropolitan Development Commission docket number 87-AO-2.

SECTION 2. The adoption of the Comprehensive Zoning Maps, as amended, shall not supercede, amend or repeal any individually initiated rezoning ordinances approved by the City-County Council subsequent to May 23, 1994, and thereafter legally effective (which rezoning by individual legal description have not been mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said Maps in a subsequent map updating amendment hereto).

SECTION 3. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal Airport Zoning Ordinance (94-AO-2, which includes the language of the former Airspace District Zoning Ordinance [62-AO-2] as amended) and the Airspace District Map adopted as a part thereof, establishing the Airspace District as a secondary zoning district of Marion County, Indiana.

SECTION 4. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal the Floodway and Floodway District Fringe zoning district boundaries, as adopted under Metropolitan Development Commission docket number 92-AO-7.

SECTION 5. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

NEW BUSINESS

Councillor Black asked, as a point of special privilege, for consent to give one of his constituents an opportunity to address the Council. Consent was given.

George Tomanovich, Construction Manager, Department of Parks and Recreation, informed the Council that his section has been eliminated. He has sent a proposal to the Mayor and the Council members to gain support to preserve this section and to allow the employees to keep their jobs.

ANNOUNCEMENTS AND ADJOURNMENT

Robert G. Elrod, General Counsel, made the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 94-Z-133, Council Proposal No. 44, 1995, at its next regular meeting on January 23, 1995, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 8.4 acres at 6621 Hickory Road from the D-A District to the SU-18 classification to provide for an electrical substation.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

The President recognized Councillor Boyd.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of John "Jack" E. Libbertt and Forrest A. "Bud" Applegate. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

NEW BUSINESS

Councillor Gilmer asked for consent to give Alfred E. Erickson an opportunity to address the Council. Consent was given.

Mr. Erickson, President, Far Northeast Side Civic Association, stated that he is lobbying to have the real estate property tax law amended. He distributed to the Council members a document titled Proposition 7, which outlines the changes the Association would like made to the property tax law.

The President suggested that Councillor O'Dell hold a hearing on this issue before the Community Affairs Committee. The President also suggested that Mr. Elrod research Home Rule concerning this matter.

Councillor Jimison encouraged the Councillors to attend some of the celebrations that will be held the weekend of January 13-15, 1995 for Dr. Martin Luther King, Jr.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:15 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 9th day of January, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

Beurt Serwaas

President

ATTEST:

Sullen Hart

Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, JANUARY 23, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:17 p.m. on Monday, January 23, 1995, with Councillor SerVaas presiding.

Councillor Giffin led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams
1 ABSENT: Gray

A quorum of twenty-eight members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Ruhmkorff recognized two boy scouts from Troop 137, Old Bethel United Methodist Church, Matt and Josh Parson, and their leaders, John Shurig and Carol Megnin.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, January 23, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

January 10, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Thursday, January 12, 1995, a copy of a NOTICE TO TAXPAYERS of Public Hearing on Proposal No. 44, 1995, said hearing to be held on Monday, January 23, 1995, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

January 11, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following resolutions:

SPECIAL RESOLUTION NO. 1, 1995 - recognizing the public service of Lawrence L. "Larry" Buell

SPECIAL RESOLUTION NO. 2, 1995 - concerning the 1999 World Police and Fire Games

SPECIAL RESOLUTION NO. 3, 1995 - remembering Fred C. "Bud" Tucker, Jr.

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of January 9, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 81, 1995. This proposal, sponsored by Councillors Rhodes, Schneider and SerVaas, recognizes the State Champion North Central High School Boys Soccer Team. Councillor Rhodes read the resolution and presented a copy of the document and a Council pin to the members of the soccer team and their coaches. Team member Tory Harris expressed appreciation for the recognition. Councillor Rhodes moved, seconded by Councillor Schneider, for adoption. Proposal No. 81, 1995 was adopted by unanimous voice vote.

Proposal No. 81, 1995 was retitled SPECIAL RESOLUTION NO. 4, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 4, 1995

A SPECIAL RESOLUTION recognizing the State Champion North Central High School Boys Soccer Team.

WHEREAS, the North Central High School Boys Soccer Team has compiled an outstanding two year record of 50 wins and no losses; and

WHEREAS, during the last two seasons, the North Central Panthers have scored 246 goals to their opponents scoring only 11 goals; and

WHEREAS, the team is Indiana State Champions, and was recognized in the national newspaper *USA Today* as the seventh best boys high school soccer team in the nation; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council congratulates the North Central High School Boys Soccer Team for their outstanding success on the playing field, their state championship and their national recognition.

SECTION 2. The Council commends the Panther team members: Ben Anderson, Ted Brauer, Matt Foley, Rashaad Frazier, Matt Fundenberger, Chris Greiner, Tory Harris, Seth Little, Scott Long, John Maggard, Nathan McGuire, Scott McNichols, Brian Miller, Elliot Mills, Tony Monroe, Craig Myers, Brett Northcutt, James Pettengill, Chris Prouty, Drew Richardson, Ben Robinson, Matt Rosen, McKinley Tennyson, Scott Walti and Kurt Weaver;

SECTION 3. The Council also recognizes: Managers: Erin Campbell, Colin Sipe, Santino Monroe, Ashley Traylor and Katy Karrmann; Head Coach Jerry Little, Assistant Coach Bruce Quilling; Athletic Director Chuck Jones, Assistant Athletic Director Paul Loggan; Principal Dr. Mike Jones, Superintendent Dr. Eugene White, and all the supportive parents, volunteers and others who helped make this team so successful.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 82, 1995. This proposal, sponsored by Councillors Coughenour and Mullin, recognizes the 1994 state football champion Roncalli High School Rebels. Councillor Coughenour read the resolution and presented a copy of the document and a Council pin to the team members and their coaches. Coach Bruce Scifres expressed appreciation for the recognition. Councillor Coughenour moved, seconded by Councillor Mullin, for adoption. Proposal No. 82, 1995 was adopted by unanimous voice vote.

Proposal No. 82, 1995 was retitled SPECIAL RESOLUTION NO. 5, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 5, 1995

A SPECIAL RESOLUTION recognizing the 1994 state football champion Roncalli High School Rebels.

WHEREAS, for the second year in a row the Roncalli High School football team made it to the Indiana High School Athletic Association's Class 3A state finals; and

WHEREAS, also for the second year in a row the Roncalli team walked out of the domed stadium in downtown Indianapolis carrying the huge State Champion trophy destined for the schools trophy case; and

WHEREAS, Roncalli capped the football season by smashing Tipton 35-14 in the State Championship game, and had an enviable regular season record of 12-2 experiencing character building losses only to Franklin Central and Seccina; and

WHEREAS, Coach Bruce Scifres and the school are very proud of their State Champion athletes, and refer to this group of young men as a "Dream Team"; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council commends the 1994 Indiana Class 3A State Champion football team -- the Roncalli Rebels.

SECTION 2. Special recognition is extended to the team's graduating seniors: Doug Bauman, Rob Dinn, Ryan Eads, Dan Elsener, Mike Griffin, Brian Lauck, Pat Mahin, Chris Redmond, Greg Sanders, Paul Schaub, Chris Scheich, Nick Scott, Rick Scott, Jeremy Stahley, Nick Shotts, Seth Thomas, Andy Vohs and Trevor Wilson; Head Coach Bruce Scifres; and Assistant Coaches: Phil Gatts, Jeff Palmer, Tim Puntarelli, Brent Shepler, Scott Stewart and Bob Tully.

SECTION 3. The Council also recognizes the Roncalli parents, faculty and staff, band, cheerleaders and all the others who rendered invaluable support to the team.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 83, 1995. This proposal, sponsored by Councillors Beadling and Ruhmkorff, commends Yellow Cab and the new assistance of St. Vincent and Community Hospitals for free taxi rides home on New Year's Eve. Councillor Beadling read the resolution and presented a copy of the document to Roger Lewis, Operations Manager, Yellow Cab, who expressed appreciation for the recognition. Councillor Beadling moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 83, 1995 was adopted by unanimous voice vote.

Proposal No. 83, 1995 was retitled SPECIAL RESOLUTION NO. 6, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 6, 1995

A SPECIAL RESOLUTION commending Yellow Cab and the new assistance of St. Vincent and Community Hospitals for free taxi rides home on New Year's Eve.

WHEREAS, Indianapolis has not had a single New Year's Eve drunken driving fatality during the 13 years that Indianapolis Yellow Cab Company has offered free rides home to all partygoers who request it; and

WHEREAS, during that time Richard Hunt, owner of Indianapolis Yellow Cab, reports that the cab company has transported 30,000 people who should not be behind the wheel; and

January 23, 1995

WHEREAS, Mr. Hunt has contributed \$100,000 of his own money to support this worthwhile community service, and was preparing to discontinue it because no one had come forward to help with some of the expense; and

WHEREAS, St. Vincent and Community Hospitals came to the aid of the program just before Christmas, and they hauled 3,169 people this New Year's Eve with heavy utilization at downtown Union Station and at Broad Ripple; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council commends Richard Hunt and his Indianapolis Yellow Cab Company, St. Vincent Hospital and Community Hospital for their cooperative effort that helped keep drunken drivers off the road on New Year's Eve.

SECTION 2. The Council hopes that in future years others will agree that this is an important community safety issue that is worthy of support.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The President ruled that Proposal Nos. 14, 15, 16, 17, 18, 22 and 23, 1995, all board appointments, were heard by various committees and would be voted on together.

PROPOSAL NO. 14, 1995. The proposal reappoints Ruby Miller to the City-County Administrative Board. PROPOSAL NO. 15, 1995. The proposal reappoints Clifford R. Snedeker to the Information Services Agency Board. PROPOSAL NO. 16, 1995. The proposal reappoints Mary Alice (Dubbie) Buckler to the Information Services Agency Board. PROPOSAL NO. 17, 1995. The proposal reappoints John von Arx to the Information Services Agency Board. PROPOSAL NO. 18, 1995. The proposal reappoints Phillip Hinkle to the Marion County Board of Tax Adjustment. PROPOSAL NO. 22, 1995. The proposal reappoints Phillip Hinkle to the Audit Committee. PROPOSAL NO. 23, 1995. The proposal reappoints Arno Haupt to the Board of Capital Asset Management. Councillor McClamroch moved, seconded by Councillor Gilmer, for adoption. Proposal Nos. 14, 15, 16, 17, 18, 22 and 23, 1995 were adopted by unanimous voice vote.

Proposal No. 14, 1995 was retitled COUNCIL RESOLUTION NO. 1, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 1, 1995

A COUNCIL RESOLUTION reappointing Ruby Miller to the City-County Administrative Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City-County Administrative Board, the Council appoints:

Ruby Miller

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 15, 1995 was retitled COUNCIL RESOLUTION NO. 2, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 2, 1995

A COUNCIL RESOLUTION reappointing Clifford R. Snedeker to the Information Services Agency Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Information Services Agency Board, the Council appoints:

Clifford R. Snedeker

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 16, 1995 was retitled COUNCIL RESOLUTION NO. 3, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 3, 1995

A COUNCIL RESOLUTION reappointing Mary Alice (Dubbie) Buckler to the Information Services Agency Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Information Services Agency Board, the Council appoints:

Mary Alice (Dubbie) Buckler

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 17, 1995 was retitled COUNCIL RESOLUTION NO. 4, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 4, 1995

A COUNCIL RESOLUTION reappointing John von Arx to the Information Services Agency Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Information Services Agency Board, the Council appoints:

John von Arx

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 18, 1995 was retitled COUNCIL RESOLUTION NO. 5, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 5, 1995

A COUNCIL RESOLUTION reappointing Phillip Hinkle to the Marion County Board of Tax Adjustment.

January 23, 1995

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Board of Tax Adjustment, the Council appoints:

Phillip Hinkle

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 22, 1995 was retitled COUNCIL RESOLUTION NO. 6, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 6, 1995

A COUNCIL RESOLUTION reappointing Phillip Hinkle to the Audit Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Audit Committee, the Council appoints:

Phillip Hinkle

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 23, 1995 was retitled COUNCIL RESOLUTION NO. 7, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 7, 1995

A COUNCIL RESOLUTION reappointing Arno Haupt to the Board of Capital Asset Management.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Capital Asset Management, the Council appoints:

Arno Haupt

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 19, 1995. The proposal reappoints Joe M. Rink to the Cable Franchise Board. PROPOSAL NO. 20, 1995. The proposal reappoints James E. Sawyers to the Cable Franchise Board. PROPOSAL NO. 21, 1995. The proposal appoints Fredric A. Hunn and Donald Hargadon to the Cable Franchise Board. Councillor McClamroch moved, seconded by Councillor Rhodes, to table Proposal Nos. 19, 20 and 21, 1995. This motion passed by unanimous voice vote.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 55, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the

County General Fund in the amount of \$443,115 for the County Auditor to fund the cost of the redevelopment of the property tax financial system financed by unappropriated revenues in the County General Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 56, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Information Services Internal Services Fund in the amount of \$443,115 for the Information Services Agency to fund the cost of the redevelopment of the property tax financial system financed by revenues from that fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 57, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Greg L. Henneke as Director of the Department of Capital Asset Management for a term ending December 31, 1995"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 58, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Elaine E. Bedel as Director of the Department of Metropolitan Development for a term ending December 31, 1995"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 59, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Jack H. Hall, M.D. to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 60, 1995. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE approving an application for designation of the former Westinghouse Air Brake Company site at 217 South Belmont Street as an Industrial Recovery Site"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 61, 1995. Withdrawn.

PROPOSAL NO. 62, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Dwelling Districts Zoning Ordinance addressing state statute changes to "Home Day Care"; and the President referred it to the Metropolitan Development Committee.

Councillor West moved to suspend the rules to introduce Proposal No. 98, 1995 at this time. Proposal No. 98, 1995, is a SPECIAL RESOLUTION determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Metropolitan Development. The President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 63, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Chapter 282 of the Revised Code eliminating the White River Greenway Development Board"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 64, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Sec. 22-2 of the Code to provide penalties for persons unlawfully sledding in City parks and golf courses"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 65, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Michael E. Beaver as Director of the Department of Public Safety for a term ending December 31, 1995"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 66, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Sec. 2-358 of the Code to allow Marion County to receive deposits from the Indiana Department of Corrections into the County Corrections Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 67, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by permitting the Sheriff to establish franchise zones for the towing of automobiles"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 68, 1995. Withdrawn.

PROPOSAL NO. 69, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is the transfer of \$310,000 from the County General Fund to the Supplemental Public Defender Fund to make up the 1994 revenue shortfall in the Supplemental Public Defender Fund financed by unappropriated revenues in the County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 70, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$330,000 for the Prosecuting Attorney, Marion County Public Defender Agency, and the County Auditor to fund the Expedited Trial Program which is a joint effort to reduce the population at the Marion County Jail financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 71, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Drug Free Community Fund in the amount of \$230,000 for the Court Administrator Agency, Marion County Public Defender Agency, and the County Auditor to provide the matching funds required by the grant awarded for the Expedited Trial Program financed by revenues

from the Drug Free Community Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 72, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Supplemental Adult Probation Fees Fund in the amount of \$44,100 for the Superior Court, Criminal Division, Probation Department, to pay an existing lease agreement for outside office space financed by revenues from that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 73, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Supplemental Adult Probation User Fee Fund in the amount of \$24,600 for the Superior Court, Criminal Division, Probation Department, to provide the 25% matching funds required by the recently awarded federal grant of \$71,350 which is to be utilized for the Automated Probation Case Management System financed by revenues from that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 74, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Michael B. Stayton as Director of the Department of Public Works for a term ending December 31, 1995"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 75, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Leon E. Younger as Director of the Parks and Recreation for a term ending December 31, 1995"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 76, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Nancy Silvers as Deputy Mayor for a term ending December 31, 1995"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 77, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Joseph E. Loftus as Deputy Mayor and Director of the Department of Administration for a term ending December 31, 1995"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 78, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Alan Retherford to the Metropolitan Board of Zoning Appeals Division I"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 79, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Mary Jane Klepek to the Metropolitan Board of Zoning Appeals Division III"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 80, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Joanna Walker to the Metropolitan Board of Zoning Appeals Division I"; and the President referred it to the Metropolitan Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 53, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 53, 1995 on January 19, 1995. The proposal authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$7 million for Veltri Stamping Corporation (413 North Tremont Avenue, District 16). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Smith, for adoption. Proposal No. 53, 1994 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

2 NOT VOTING: Boyd, Jones

1 NOT PRESENT: Gray

Proposal No. 53, 1995 was retitled SPECIAL ORDINANCE NO. 1, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 1, 1995

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its City of Indianapolis, Indiana Variable Rate Demand Revenue Bonds, (Veltri Stamping Corporation Project) Series 1995, in the aggregate principal amount not to exceed \$7,000,000 (the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, a representative of Veltri Stamping Corporation (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the acquisition, renovation, construction, installation, equipping and expansion of an existing building containing approximately 105,858 square feet located at 413 North Tremont Avenue, Indianapolis, Marion County, Indiana on approximately 8.62 acres of land to be used for processing and manufacturing of metal stamping products; the acquisition of machinery, equipment and furnishing for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, construction, renovation, installation and equipping of the Project by issuing its City of Indianapolis, Indiana Variable Rate Demand Economic Development Revenue Bonds (Veltri Stamping Corporation Project) Series 1995, in the aggregate principal amount not to exceed \$7,000,000 (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on January 18, 1995 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project which will be initially owned by the Company complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Trust Indenture (the "Indenture") dated as of January 1, 1995 by and between the Issuer and NBD Bank, N.A., as Trustee (the "Trustee") in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of January 1, 1995, between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Loan Agreement, Indenture, Placement Agreement, Preliminary Private Placement Memorandum, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed Seven Million Dollars (\$7,000,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Financing Agreement to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Private Placement Agreement is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to

the Issuer set forth in the Preliminary Private Placement Memorandum is hereby authorized to certify to NBD Bank, N.A. (the "Placement Agent") that the information in the Preliminary Private Placement Memorandum with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Private Placement Memorandum.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the Placement Agent at a price not less than 100% of the aggregate principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest not to exceed twelve percent (12.0%) per annum. The use of a Final Private Placement Memorandum in substantially the same form as the Preliminary Private Placement Memorandum approved herein is approved for use and distribution by the Placement Agent and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the Placement Agent, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 54, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 54, 1995 on January 19, 1995. The proposal authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$3 million for Indianapolis Art Center, Inc. (820 East 67th Street, District 2). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Franklin, for adoption. Proposal No. 54, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Dowden*

1 NOT PRESENT: *Gray*

Proposal No. 54, 1995 was retitled SPECIAL ORDINANCE NO. 2, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 2, 1995

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its City of Indianapolis, Indiana Adjustable Economic Development Revenue Bonds, Series 1995 (Indianapolis Art Center, Inc. Project), in the aggregate principal amount not to exceed \$3,000,000 (the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, a representative of Indianapolis Art Center, Inc. (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the acquisition, construction, installation and equipping of an approximately 40,000 square foot building to be located at 820 East 67th Street, Indianapolis, Indiana on approximately 7 acres of land which will be used by the Company as studio classes, library, auditorium and administration to carry out its not-for-profit purposes as an art teaching and resource center providing year-round programs in studio art classes; providing lectures and art series; mounting art exhibitions; providing outreach programs to the lesser served population; presenting inter-arts programming on its Riverfront state and presenting inter-arts programming in the proposed new auditorium; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, construction, installation and equipping of the Project by issuing its City of Indianapolis, Indiana Adjustable Rate Economic Development Revenue Bonds, Series 1995 (Indianapolis Art Center, Inc. Project), in the aggregate principal amount not to exceed \$3,000,000 (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on January 18, 1995 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project which will be initially owned by the Company complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Trust Indenture (the "Indenture") dated as of January 1, 1995 by and between the Issuer and NBD Bank, N.A. as Trustee (the "Trustee") in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of January 1, 1995, between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Loan Agreement, Indenture, Bond Placement Agreement, Preliminary Offering Memorandum, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed Three Million Dollars (\$3,000,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Financing Agreement to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Offering Memorandum is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Offering Memorandum is hereby authorized to certify to NBD Bank, N.A. (the "Placement Agent") that the information in the Preliminary Offering Memorandum with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Offering Memorandum.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the Placement Agent at a price not less than 100% of the aggregate principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest not to exceed ten percent (10.0%) per annum. The use of a Final Offering Memorandum in substantially the same form as the Preliminary Offering Memorandum approved herein is approved for use and distribution by the Placement Agent and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the Placement Agent, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NOS. 84-85, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 19, 1995." The Council did not schedule Proposal Nos. 84-85, 1995

for hearing pursuant to IC 36-7-4-608. Proposal Nos. 84-85, 1995 were retitled REZONING ORDINANCE NOS. 9-10, 1995 and are identified as follows:

REZONING ORDINANCE NO. 9, 1995. 94-Z-193 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 17.

1811 WEST WASHINGTON STREET (approximate address), INDIANAPOLIS.
DANIEL and KATHLEEN TAYLOR, by Casey D. Cloyd, request the rezoning of 0.46 acre, being in the D-5 District, to the C-3 classification to provide for a restaurant use.

REZONING ORDINANCE NO. 10, 1995. 94-Z-196 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 20.

5433 MADISON AVENUE (approximate address), INDIANAPOLIS.
GUY N. NEWMAN, by Paul Pittman, requests the rezoning of 0.44 acre, being in the C-3 District, to the C-5 classification to provide for commercial development.

PROPOSAL NOS. 86-90, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 19, 1995." The Council did not schedule Proposal Nos. 86-90, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 86-90, 1995 were retitled REZONING ORDINANCE NOS. 11-15, 1995 and are identified as follows:

REZONING ORDINANCE NO. 11, 1995. 94-Z-191 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 15.

2444 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.
JAVIER AMEZCUA, by Zoe Urena Weiss, requests the rezoning of 0.15 acre, being in the C-2 District, to the C-3 classification to provide for the continued operation of a restaurant.

REZONING ORDINANCE NO. 12, 1995. 94-Z-214 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 13.

1410 SOUTH POST ROAD (approximate address), INDIANAPOLIS.
MARTIN L. FALL requests the rezoning of 36.01 acres, being in the I-2-S and I-3-S Districts, to the "A" classification to provide for expansion of an existing private airport runway.

REZONING ORDINANCE NO. 13, 1995. 94-Z-215 PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 1.

8460 GEORGETOWN ROAD (approximate address), INDIANAPOLIS.
ROLLINS LEASING CORP., by Philip A. Nicely, requests the rezoning of 7.5 acres, being in the I-2-S District, to the C-S classification to provide for the development of the site with light industrial uses and/or a truck leasing operation.

REZONING ORDINANCE NO. 14, 1995. 94-Z-218 DECATUR TOWNSHIP.
COUNCILMANIC DISTRICT # 19.

5820 WEST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.
CHARTER CORPORATION requests the rezoning of 38.0 acres, being in the D-A District, to the D-4 classification to provide for a single-family residential development.

REZONING ORDINANCE NO. 15, 1995. 94-Z-220 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 10.

5207 EAST 38TH STREET (approximate address), INDIANAPOLIS.
JAMES D. and JULIA SAMS request the rezoning of 0.57 acre, being in the D-4 District, to the C-3 classification to provide for construction of a shoe store.

PROPOSAL NOS. 91-96, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 19, 1995." The Council did not schedule Proposal Nos. 91-96, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 91-96, 1995 were retitled REZONING ORDINANCE NOS. 16-21, 1995 and are identified as follows:

REZONING ORDINANCE NO. 16, 1995. 94-Z-90A DECATUR and WAYNE TOWNSHIPS.
COUNCILMANIC DISTRICT # 17.
5252 WEST TROY AVENUE (approximate address), INDIANAPOLIS.
DANTROS DEVELOPMENT, INC., by Joseph M. Scimia, requests the rezoning of 3.971 acres, being in the D-A District, to the C-3 classification to provide for neighborhood commercial development.

REZONING ORDINANCE NO. 17, 1995. 94-Z-162 PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 2.
3701 WEST 46TH STREET (APPROXIMATE ADDRESS), INDIANAPOLIS,
FRANK P. LLOYD, by James W. Beatty, requests the rezoning of 14.63 acres, being in the D-A District, to the D-3 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 18, 1995. 94-Z-176 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 13.
9820 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.
MICHAEL F. WILEY, by Mary E. Solada, requests the rezoning of 12.6 acres, being in the C-1, D-2 and C-2 Districts, to the C-1 classification to provide for commercial development.

REZONING ORDINANCE NO. 19, 1995. 94-Z-184 (Amended) WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 12.
1268 NORTH GERMAN CHURCH ROAD (approximate address), INDIANAPOLIS.
DAVIS DEVELOPMENT, L.P., by Thomas Michael Quinn, requests the rezoning of 18.52 acres, being in the D-6 District, to the D-5 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 20, 1995. 94-Z-209 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 13.
INDIANAPOLIS POWER & LIGHT COMPANY, by Robert C. Crews II, requests the rezoning of 5.778 acres, being in the D-A(FF)(FW) District, to the SU-18(FF)(FW) classification to provide for an electrical distribution substation.

REZONING ORDINANCE NO. 21, 1995. 94-Z-200 (Amended) DECATUR TOWNSHIP.
COUNCILMANIC DISTRICT # 19.
7578 WEST COUNTY LINE ROAD (approximate address), INDIANAPOLIS.
INDIANA UNIVERSITY, by James B. Burroughs, requests the rezoning of 164.99 acres, being in the D-A District, to the UQ-1 classification to provide for the raising and maintenance of animals and livestock for biological research purposes, related to Indiana University.

PROPOSAL NO. 97, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on January 19, 1995." The Council did not schedule Proposal No. 97, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 97, 1995 was retitled REZONING ORDINANCE NO. 22, 1995 and is identified as follows:

REZONING ORDINANCE NO. 22, 1995. 94-Z-150 DECATUR TOWNSHIP.
COUNCILMANIC DISTRICT # 19.
4404 SOUTH HIGH SCHOOL ROAD (approximate address), INDIANAPOLIS.
MARS HILL GENERAL BAPTIST CHURCH, by Michael J. Kias, requests the rezoning of 6.0 acres, being in the I-2-S District, to the SU-1 classification to provide for church development and use.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 44, 1995. The proposal approves Petition No. 94-Z-133 to rezone 8.4 acres, being in the D-A District, to the SU-18 classification to provide for an electrical substation. Proposal No. 44, 1995 was certified by the Metropolitan Development Commission on January 5, 1995. On January 9, 1995 the Council voted to schedule a public hearing for January 23, 1995.

Councillor Smith read the following motion:

Mr. President:

I am pleased to report that the parties involved in the rezoning at 6621 Hickory Road have reached a compromise reflected in Revised Statement of Conditions and Amended Site Plan filed January 20, 1995, and it will not be necessary to have a hearing on this matter; therefore, I move that Proposal No. 44, 1995 (Rezoning Petition No. 94-Z-133) with the Revised Statement of Conditions and Amended Site Plan, as filed with the Department of Metropolitan Development on January 20, 1995, be adopted.

Proposal No. 44, 1995 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT PRESENT: Gray

Proposal No. 44, 1995 was retitled REZONING ORDINANCE NO. 23, 1995 and is identified as follows:

REZONING ORDINANCE NO. 23, 1995. 94-Z-133 FRANKLIN TOWNSHIP.
COUNCILMANIC DISTRICT # 23.

6621 HICKORY ROAD (approximate address), INDIANAPOLIS.

INDIANAPOLIS POWER & LIGHT COMPANY requests the rezoning of 8.4 acres, being in the D-A District, to the SU-18 classification to provide for an electrical substation.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 695, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 695, 1994 on January 17, 1995. The proposal amends Sec. 285-307 of the Revised Code concerning the distribution of enhanced access fees. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 695, 1994 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT PRESENT: Gray

Proposal No. 695, 1994 was retitled GENERAL ORDINANCE NO. 2, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 2, 1995

A GENERAL ORDINANCE amending Sec. 285-307 of Article III of Chapter 285 of the Revised Code of the Consolidated City and County, increasing to 70% the share of enhanced access revenue designated for the agency which is the custodian of the relevant data.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Sec. 285-307 of Article III of Chapter 285 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by inserting the underlined text and deleting the stricken-through text to read as follows:

Sec. 285-307. Distribution of enhanced access fees.

The enhanced access fund is subject to the appropriation of the city-county council. Fees collected for enhanced access transactions shall be distributed as follows:

- (1) Costs incurred by the information services agency of Indianapolis and Marion County in enabling a particular type of enhanced access shall be calculated and reimbursed in the same manner as the information services agency's chargeback to other public agencies for information services.
- (2) Costs (as approved by the enhanced access board) incurred by any other public agency, including the county treasurer in billing enhanced access fees, and the custodian or custodians of computerized information in enabling a particular type of enhanced access, shall be reimbursed to that public agency.
- (3) After the reimbursement of costs under subsections (1) and (2) of this section for each enhanced access transaction, ~~twenty (20)~~ seventy (70) percent of the fees remaining shall be distributed to the custodian or custodians of the computerized information to which enhanced access is provided, to be used for the purposes specified in Sec. 285-304(c).
- (4) With the assistance and recommendation of the enhanced access board, the remaining balance in the enhanced access fund shall be appropriated by the city-county council to any of the participating public agencies to be expended for the purposes specified in Sec. 285-304(c).

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 697, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 697, 1994 on January 12, 1995. The proposal authorizes the Marion County Recorder to collect a reasonable fee for providing duplicate copies of computer tapes, computer disks, optical disks, microfilm, or similar media to the general public. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor West moved, seconded by Councillor Smith, for adoption. Proposal No. 697, 1994, as amended, was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, Williams*

0 NAYS:

1 NOT VOTING: *West*

1 NOT PRESENT: *Gray*

Proposal No. 697, 1994, as amended, was retitled GENERAL ORDINANCE NO. 3, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 3, 1995

A SPECIAL ORDINANCE authorizing the Marion County Recorder to collect a fee for providing duplicate copies of public records stored on certain media to the general public.

WHEREAS, IC 36-2-7-10(b) sets forth the various fees to be charged by the Marion County Recorder for services rendered; and

WHEREAS, IC 36-2-7-10(b)(10) provides that the City-County Council is to authorize the fee charged by the Marion County Recorder for duplicating a computer tape, a computer disk, an optical disk, microfilm, or similar media; and

WHEREAS, the Marion County Recorder seeks authorization to charge a fee for duplicating the various media described in IC 36-2-7-10(b)(10); now, therefore:

BE IT ORDAINED BY THE CITY-COUNCIL OF THE CITY
OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby authorizes the Marion County Recorder to charge a fee for duplicating a computer tape, a computer disk, an optical disk, microfilm, or similar media.

SECTION 2. The amount of this fee shall not exceed the sum of the direct cost of supplying the information in a particular medium and the standard cost per page set forth in IC 36-2-7-10(b) (6).

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 702, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 702, 1994 on January 12, 1995. The proposal amends the Sign Regulations of Marion County to comprehensively revise and update the regulation of signs within the County. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass with a recommended amendment.

Councillor West said that the Committee recommends amending Section 2.10, paragraph N, by inserting the underlined text as follows:

Section 2.10 Exempt signs.

- N. *Public signs* - Signs required or specifically authorized for a public purpose by any law, statute or ordinance, or Administrator's Approval; which may be of any type, number, area, height above grade, location or illumination required by the law, statute or ordinance under which the signs are erected.

Signs authorized by Administrator's Approval shall:

- not be applicable in any "Protected District",
- be preceded by a petition for Approval to the Hearing Examiner of the Metropolitan Development Commission with notice given to each neighborhood organization whose boundaries include all or some part of the subject request, and, including with respect to any petitions for locations within the Regional Center, notice to all registered neighborhood organizations whose boundaries include all or part of the Regional Center,
- be permitted within the Central Business Districts after having filed for and obtained a Regional Center Approval. However, the such signs shall be permitted without notification or Regional Center Approval for a temporary period of sixty (60) days. After sixty days, if such signs authorized by the Administrator are to become permanent, a Regional Central Approval Petition shall be filed for, and Approval obtained, in order to ratify the Administrator's decision.

Provided, the administrator may approve public signs to be located temporarily, for a period not to exceed sixty (60) days, within the Central Business District for purposes of promoting specific civic, sporting or special events, on condition that such signs be removed prior to the end of such period.

An ILP shall not be required.

Councillor West moved, seconded by Councillor Williams, to amend Proposal No. 702, 1994, Section 2.10, paragraph N, as recommended by the Committee.

Councillor Williams stated that this amendment makes sure that the Central Business District is part of the public process, and that the various neighborhood organizations that are involved with the Central Business District and the Regional Center are informed of any petitions for public signs. She also commended Walter Niemczura, President, Metropolitan Development Commission, for attending the Committee hearings on the sign ordinance.

The Metropolitan Development Committee's recommended amendment of Section 2.10, paragraph N, of Proposal No. 702, 1994 was passed by the following vote; viz

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT PRESENT: Gray

Proposal No. 702, 1994, as amended, was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

4 NOT VOTING: Coughenour, Golc, Jimison, Mullin

1 NOT PRESENT: Gray

Proposal No. 702, 1994 was retitled GENERAL ORDINANCE NO. 4, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 4, 1995
METROPOLITAN DEVELOPMENT COMMISSION
Docket No. 94-AO-10

A GENERAL ORDINANCE amending the Sign Regulations of Marion County to comprehensively revise and update the regulation of signs within the County.

WHEREAS, IC 36-7-4, as amended, establishes a single planning and zoning authority in counties having consolidated cities and grants certain powers relative the zoning and districting of land to the Metropolitan Development Commission and the City-County Council of such counties having consolidated cities, in order to unify the planning and zoning functions thereof; and,

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, has adopted and certified, pursuant to IC 36-7-4, as amended, various segments of its Comprehensive Plan of Marion County, Indiana; and

WHEREAS, said IC 36-7-4, as amended, empowers the Metropolitan Development Commission of Marion County, Indiana, after such comprehensive plan certification, to recommend to the City-County Council an ordinance or ordinances for the zoning or districting of all lands within the County to the end that adequate light, air, convenience of access and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; that property values may be preserved; and the public health, safety, comfort, morals, convenience and general public welfare may be promoted; and

WHEREAS, the Metropolitan Development Commission and the City-County Council desire to address the needs of the citizens of Marion County in preparing an ordinance which meets the long-term needs of the City-County as a whole; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Sign Regulations of Marion County, Appendix D, Part 19, of the Municipal Code of Indianapolis and Marion County, Indiana, as adopted under Metropolitan Development Commission Docket Nos. 71-AO-4, 86-AO-1, 88-AO-3, 90-AO-2, and 91-AO-2 is further amended by adopting the language as follows:

CHAPTER 1.00 PURPOSE AND APPLICATION

Section 1.10 Statement of purpose.

This ordinance creates the legal framework for sign regulations that are intended to facilitate an easy and agreeable communication between people. It is recognized that signs serve an important function and, therefore, reasonable and adequate display of signs is permitted under the provisions of this ordinance. This ordinance recognizes that aesthetics and design quality cannot be satisfactorily legislated, as individual opinions vary and generally public opinions vary from one to another. It is recognized, however, that a great percentage of that which is unattractive can be eliminated by sensible quality control, through adequate maintenance and inspection and by reasonable guidelines formulated to minimize clutter.

The purpose of the Sign Regulations set forth in this document shall be to eliminate potential hazards to motorists and pedestrians; to encourage signs which by their good design, are integrated with and harmonious to the buildings and sites which they occupy; and which eliminate excessive and confusing sign displays; to retain current residents and attract new residents to the city; to preserve and improve the appearance of the city as a place in which to live and work as an attraction to non-residents who come to visit or trade; to safeguard and enhance property values; to protect public and private investment in buildings and open spaces; to supplement and be a part of the regulations imposed and the plan set forth under the Comprehensive Plan for Marion County; and to promote the public health, safety, morals and general welfare.

Section 1.20 Application of regulations.

The regulations of this Ordinance shall apply to the location, erection, and maintenance of signs in all Zoning Districts within Marion County, Indiana.

CHAPTER 2.00 GENERAL REGULATIONS

The requirements, conditions, prohibitions and exceptions specified in the General Regulations Chapter shall apply to all signs and sign structures in all zoning districts in Marion County, Indiana.

Section 2.10 Exempt signs.

The following signs are permitted in any zoning district and are exempt from other provisions of this Ordinance, except the provisions for a clear sight area as noted in Chapter 2.00, Section 2.40, J. The area of such signs shall not be included in the calculation of the area of signs permitted for any parcel or use. The requirements for Improvement Location Permits shall not apply to certain of the signs specifically referenced in this section:

A. *Construction signs, project* - One construction sign per project construction site shall be permitted on each street frontage of the project, subject to the following:

1. Maximum sign area. The construction sign shall not exceed:
 - a. sixty-four (64) square feet in area,
 - b. twenty (20) feet in height.
2. Additional standards. Further, such signs shall:
 - a. not be erected until the applicable zoning and platting approvals have been obtained;
 - b. be confined to the site of construction;

- c. meet the setback requirements for signs in the applicable district; and
- d. be removed five (5) days after completion of construction and prior to occupancy.

An Improvement Location Permit (ILP) shall not be required if the provisions noted above are satisfied.

- B. *Flags, emblems, or insignia of any nation, state or political subdivision* shall be permitted, provided the setback requirements for signs in the applicable district are met. In addition, one (1) flag, displaying a corporate emblem, shall be permitted for each business not located in an integrated center. A flag displaying a corporate emblem, however, shall be included in the calculation of the maximum sign area permitted for freestanding signs for the site.

An Improvement Location Permit (ILP) shall not be required if the provisions noted above are satisfied.

- C. *Garage sale signs* - are permitted provided there shall be only one (1) sign, not exceeding six (6) square feet in total surface area and four (4) feet in height for each lot. Such sign shall be located on the lot having the sale and not on or within any public right-of-way. In the case of corner lots, one (1) additional sign is permitted on the other street frontage of the lot, for a maximum of two (2) signs on the lot. Further, such sign(s) shall be permitted for no longer than two (2) days prior to the sale and be removed immediately after the sale is completed.

An ILP shall not be required if the provisions noted above are satisfied.

- D. *Historic or commemorative plaques*. An historic or commemorative plaque shall not exceed four (4) square feet.

An ILP shall not be required if the provisions noted above are satisfied.

Historic or commemorative plaques in excess of four (4) square feet shall be regulated and permitted as wall signs.

- E. *Home improvement, home construction, home remodeling signs* - are permitted, provided there shall be only one (1) such sign not exceeding six (6) square feet in total surface area and four (4) feet in height for each lot. Such sign shall be located on the lot the described activity is occurring, shall not be located on or within any public right-of-way, and shall be displayed only while such work is actually occurring.

An ILP shall not be required if the provisions noted above are satisfied.

- F. *House number and name plates* - House numbers and name plates, each not exceeding two (2) square feet in area, are permitted for each residential unit or dwelling.

An ILP shall not be required if the provisions noted above are satisfied.

House numbers and name plates in excess of two (2) square feet in area shall be regulated as wall signs.

- G. *Interior signs* - Signs located:

1. within the interior of any building, or within an enclosed lobby or court of any building,
2. located within the inner or outer lobby, court or entrance of any theatre, that are not viewable or intended to be viewable from the public right-of-way and do not qualify as "window signs" as herein defined, are permitted.

An ILP shall not be required if the provisions noted above are satisfied.

- H. *Memorial signs or tablets* - Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or inlaid so as to be part of the building or when constructed of bronze or other incombustible material. Such sign shall not be located within any public right-of-way.

An ILP shall not be required if the provisions noted above are satisfied.

- I. *Model home signs* - are permitted, provided there shall be only one (1) such sign not exceeding sixteen (16) square feet in total surface area and four (4) feet in height located on the street frontage of the lot containing the model home. Such sign shall:

1. not be located on or within any public right-of-way or located on the model home building; and
2. be removed immediately after the building no longer serves as a model home.

An ILP shall not be required if the provisions noted above are satisfied.

- J. *Murals*, defined as works of graphic art painted or applied to building walls, which contain no advertising, identification messages, or logos.

An ILP shall not be required if the provisions noted above are satisfied, however, such murals are still subject to all requirements of any overlay district zoning which may apply.

- K. *Official signs* - authorized by a government or governmental subdivision which give traffic, directional, or warning information, and signs of public service companies indicating danger and aids to service or safety which are erected by, or on the order of, a public officer in the performance of their public duty.

An ILP shall not be required if the provisions noted above are satisfied.

- L. *Political signs* - Political or campaign signs on behalf of candidates for public office or measures on election ballots are permitted for sixty (60) days prior to an election, and shall be removed within five (5) days after the election has been decided. Such sign shall not exceed six (6) square feet in total surface area and four (4) feet in height. No such sign shall be located on, within, or over the public right-of-way.

An ILP shall not be required if the provisions noted above are satisfied.

- M. *Public notices* - Official notices posted by public officers, employees or their agents in the performance of their duties, or as directed by such officers, employees or agents.

An ILP shall not be required.

- N. *Public signs* - Signs required or specifically authorized for a public purpose by any law, statute or ordinance, or Administrator's Approval; which may be of any type, number, area, height above grade, location or illumination required by the law, statute or ordinance under which the signs are erected.

Signs authorized by Administrator's Approval shall:

- not be applicable in any "Protected District",
- be preceded by a petition for Approval to the Hearing Examiner of the Metropolitan Development Commission with notice given to each neighborhood organization whose boundaries include all or some part of the subject request, and, including with respect to any petitions for locations within the Regional Center, notice to all registered neighborhood organizations whose boundaries include all or part of the Regional Center.
- ~~be permitted within the Central Business Districts after having filed for and obtained a Regional Center Approval. However, the such signs shall be permitted without notification or Regional Center Approval for a temporary period of sixty (60) days. After sixty days, if such signs authorized by the Administrator are to become permanent, a Regional Central Approval Petition shall be filed for, and Approval obtained, in order to ratify the Administrator's decision.~~

Provided, the administrator may approve public signs to be located temporarily, for a period not to exceed sixty (60) days, within the Central Business District for purposes of promoting specific civic, sporting or special events, on condition that such signs be removed prior to the end of such period.

An ILP shall not be required.

- O. *Real estate signs* - Real estate signs announcing the sale or lease of that property by the owner or a real estate company shall be permitted, provided there shall be only one (1) sign for each lot, not exceeding:

1. six (6) square feet in total surface area and four (4) feet in height (for all districts permitting single or two-family residential development); or
2. thirty-two (32) square feet in total surface area and four (4) feet in height (for any other zoning district).

Such sign shall be located on the lot for sale or lease and not on or within any public right-of-way. Real estate signs shall not be directly illuminated and shall be removed within seven (7) days after the sale/lease/rental has been accomplished. Real estate signs which remain on the site for no longer than one (1) year shall not be required to obtain an ILP, however, if such signs remain beyond the one year period, an ILP shall be required, and such signs shall meet the requirements applicable to freestanding identification signs of the District.

Exceptions: In the case of a:

1. corner lot, one (1) additional sign, with the same maximum dimensions, is permitted, for a maximum of two (2) signs on a corner lot.
2. through lot, one (1) additional sign, with the same maximum dimensions, is permitted on a second street frontage, for a maximum of two (2) signs on a through lot.
3. lot which abuts a water body or golf course, one (1) additional sign, with the same maximum dimensions, is permitted on the water or golf course frontage of the lot, for a maximum of two (2) signs on such a lot. This exception shall not apply if the water body is designated as a "greenway corridor" in the "Indianapolis Greenways Plan", adopted by the Metropolitan Development Commission (May, 1994).

An ILP shall not be required if the provisions noted above are satisfied.

- P. *Real estate signs, temporary directional* - Temporary directional real estate signs shall not exceed twenty (20) per subdivision with no more than five (5) signs per subdivision allowed on the same street, in the same direction.

The maximum number of temporary directional real estate signs at an intersection shall be twelve (12). The intersection, for purposes of this provision, is defined as an area within a one hundred (100) foot radius of the intersecting center lines of two or more streets.

Temporary directional rear estate signs shall be placed at no less than two hundred (200) feet from any sign of the same subdivision and no closer than twenty (20) feet from another temporary directional real estate sign.

Further, temporary directional real estate signs shall be permitted only if:

1. They are limited to freestanding signs not to exceed eight (8) square feet in total area or four (4) feet square feet per sign face and shall not exceed forty (40) inches in height.
2. Signs shall not be placed before 5:00 p.m. on Friday and shall be removed by 7:00 a.m. on Monday. Signs shall be installed no earlier than 5:00 p.m. preceding any commonly recognized holiday and shall be removed by 7:00 a.m. the day following a holiday. All poles and stakes shall be completely removed.
3. Signs shall not be placed on private property without permission of the owner. Signs shall be placed at least six (6) feet from the pavement edge of the street (said pavement edge of the street includes the shoulder). Signs shall not touch or block any road marking signs, nor shall they be attached to utility poles, trees or natural features.

An ILP shall not be required if the provisions noted above are satisfied.

- Q. *Seasonal or holiday signs* - for display on private or public property shall be permitted, so long as they are primarily decorative in nature, clearly incidental and customarily and commonly associated with any national, local or religious holiday. Such signs may be of any type, number, area, height, illumination or animation. Such signs shall not be located on or within any public right-of-way, and shall be set back a minimum of ten (10) feet from the lot lines of the property.

An ILP shall not be required if the provisions noted above are satisfied.

- R. *Temporary signs for grand openings or city-recognized special events* - provided that the maximum sign area of each sign shall not exceed thirty-two (32) square feet. Temporary signs allowed under this subsection include pennants and banners.

1. Grand Openings: Temporary signs for grand openings may be erected no more than ten (10) days prior to the grand opening and shall be removed no more than five (5) days after the event. In no case shall such signs remain on the premises for more than thirty (30) days.
2. City-Recognized Special Events: Temporary signs for city-recognized special events may be erected throughout the year, however, the maximum number of days such signs may be displayed shall not exceed a total of thirty (30) days per year.

Such signs shall not be located on or within any public right-of-way.

An ILP shall not be required if the provisions noted above are satisfied.

- S. *Tombstones* - An ILP shall not be required.
- T. *Works of art* - Three dimensional works of art (statuary, sculptures) and two dimensional works of art (i.e. murals) that are clearly artistic in nature and which do not promote commercial interests are exempt from regulation under this ordinance.

An ILP shall not be required if the provisions noted above are satisfied.

- U. *Incidental signs, other than directional, and parking and loading signs* shall be permitted, subject to the following:

1. The maximum height of the sign shall not exceed four (4) feet.
2. The maximum sign surface area shall not exceed (1) square foot.
3. The sign shall be setback a minimum of ten (10) feet from the existing street right-of-way.

An ILP shall not be required if the provisions noted above are satisfied.

- V. *Building outline lighting*. Outlining of structural/ architectural elements of buildings, such as roof lines, doors, windows or wall edges using neon, incandescent, or similar type of lighting in any Commercial and Industrial District shall not be considered a sign, nor regulated by this ordinance. If however, such outline contains text or logos, such items shall be considered signs and regulated by this ordinance according to their type and placement. Outlining of structural/architectural elements of buildings using neon, incandescent or similar type of lighting shall be prohibited in any Protected District, and in no case shall it be permitted within six hundred (600) feet of a Protected District. (See also Section 2.20, K, for restrictions on other types of outline lighting). In no case, however, shall such building outlining flash or be animated.

Section 2.20 Prohibited signs.

The following signs are prohibited in all zoning districts:

- A. *Signs in the public right-of-way*. No sign or sign structure may be placed on or in the right-of-way of an alley or a street, with the exception of governmental and public signs, or projecting signs permitted by this ordinance and having obtained an encroachment license from the proper governmental agency.
- B. *Signs which interfere with official signs/traffic devices*.
1. No sign or sign structure shall be permitted which attempts or appears to attempt to direct the movement of traffic or which interferes with or obstructs the view of, or can be confused with, imitates, or resembles any official traffic sign, signal, or device. No rotating beam, beacon or flashing illumination resembling any emergency light shall be used in connection with any sign display.

2. No sign shall be permitted which prevents the driver of a vehicle from having a clear and unobstructed view, from an adequate and safe distance, of any official sign and approaching or merging traffic (See Section 2.40, J. Clear Sight Triangular Area).
- C. *Interference with street intersections.* No sign or sign structure shall be located in such a manner as to materially impede the view of any street or highway intersection or in such a manner as to materially impede the view of the intersection of a street or highway with a railroad crossing (See Section 2.40, J, Clear Sight Triangular Area).
- D. *Prohibition of signs affixed to utility poles, etc.* No sign or sign structure shall be affixed to, displayed, or located upon any utility pole, light standard, tree, public transportation or school bus passenger shelter or bench, traffic control device, or similar structure, equipment, or appurtenance located upon any public right-of-way, utility easement, or other public or private property unless authorized under Section 2.10, N (Public Signs).
- E. *Signs on natural features.* No signs shall be permitted to be painted on, attached to, or maintained upon trees, rocks or other natural features.
- F. *Pennants.* Pennants shall not be permitted.

Exception: Temporary exception to this stipulation is noted in Section 2.10, R, "Temporary Signs for Grand Openings and Special Events."

- G. *Banners.* Banners shall not be permitted.

Exceptions:

1. Temporary exception to this stipulation is noted in Section 2.10, R, "Temporary Signs for Grand Openings and Special Events."
 2. Special regulations governing temporary promotional banners within the Central Business Districts are found in Section 3.50.
 3. Banners that are attached securely to the wall of a building on all four corners shall be considered and regulated as wall signs.
- H. *Wind signs.* Wind signs shall not be permitted.

Temporary exception to this stipulation is noted in Section 2.10, R, "Temporary Signs for Grand Openings and Special Events."
 - I. *Portable signs.* Portable signs including but not limited to A- or T-frame, or signs on trailer frames whether or not the trailer wheels have been removed shall be prohibited. No person shall park any vehicle or trailer or truck trailer on a public right-of-way, public property or on private property which is visible from a public right-of-way, which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity. This section is not intended to apply to standard advertising or identification practices where such signs or advertising devices are painted on or permanently attached to business or commercial vehicles such as buses or cabs.
 - J. *Statuary, commercial.* Statues utilized and intended for commercial advertising purposes shall be prohibited.
 - K. *Outline lighting.* Outlining of property lines or open sales areas, whether flashing or constant, shall be prohibited.
 - L. *Balloon signs.* Lighter-than-air or gas filled balloons or other similar devices used to advertise or define a fixed location shall be prohibited.

Section 2.30 Computations.

- A. *Computation of area of individual signs.* The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, rectangle or

combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself. (Refer to Diagram 1 for illustrative guides to computation methods)

- B. *Computation of area of multifaced signs.* The sign area for a sign with more than one face shall be computed by adding together the sign area of all sign faces from any one point. When two identical sign faces are placed back to back, or at no greater than fifteen (15) degrees from one another, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one (1) of the faces (Refer to Diagram 2 for illustrative guides to computation methods).
- C. *Computation of height.* The height of a sign shall be computed as the distance from the base of the sign or sign structure at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of either (1) existing grade prior to construction; or, (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of the street or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower. (Refer to Diagram 3 for illustrative guides to computation methods).

Section 2.40 General provisions.

- A. *Applicability of regulations.* No sign or sign structure, or part thereof, shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations.
- B. *Consent of property owner.* No sign or sign structure shall be placed on private or public property without the expressed written consent of the owner or the owner's representative.
- C. *Maintenance of signs.* All signs and sign structures shall be kept in good repair and in proper state of maintenance.
- D. *Maintenance and restoration of legally established nonconforming signs and sign structures.* Any legally established nonconforming sign shall be permitted without alteration in size or location. Maintenance of such signs shall not include any changes made to the size, height or bulk of the sign or the temporary or permanent removal of the sign. If such sign is damaged exceeding two-thirds (2/3) of its replacement value, it shall not be rebuilt except in conformance with the provisions of this ordinance; provided, however, that nothing herein shall prevent maintenance, repainting, or posting of legally established nonconforming signs.
- E. *Number of faces permitted on a freestanding identification sign.* Unless specifically restricted by these sign regulations, a sign may contain more than one sign face, and may be two-sided, provided all other requirements of these regulations are met.
- F. *Discontinuation of nonconformity.* Within thirty (30) days after any lawful nonconforming sign or sign structure is no longer functional or is abandoned, as defined in Chapter 6 of this ordinance, the sign and sign structure shall be removed.
- G. *Grade mounding.* Earth mounding, inconsistent with the ground level of the land surrounding the sign structure, which increases the elevation of the sign, shall be included in the measurement of the sign height (Refer also to Section 2.30, C "Computation of Height" and Diagram 4).
- H. *Flashing or animated signs.* No flashing or animated sign shall be used in any Dwelling, Special Use, C-1, C-2 and C-3 Commercial, or Central Business District and inside, or within six hundred (600) feet of, any Protected District. The method of measurement from a Protected District shall be from the leading edge of the sign to the zoning line of the Protected District. (Refer to Diagram 7).

Exceptions to this provision are the following:

1. Time and temperature displays, which are regulated in Section 4.70.
 2. This provision shall not apply if it can be determined that a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Dwelling District.
 3. This provision shall not apply if it can be determined that the flashing or animated sign is visibly obstructed from the Protected District.
- I. *Lighting of signs.* No lighting shall be permitted to be used in any way in connection with a sign unless:
1. it is effectively shielded so as to prevent beams or rays of light from being directed at vehicles travelling on a street; or,
 2. is of such low intensity or brilliance so as not to cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle.
- Sign light reflectors must be within twelve (12) feet of a sign facing.
- J. *Clear sight triangular area.* No sign or sign structure shall be located within a clear sight triangular area (Refer to Diagram 5). A clear sight triangular area shall be established as one of the following:
1. On a corner lot, the clear sight triangular area is formed by the street right-of-way lines, the pavement edge of the drives or driveways and the line connecting points twenty-five (25) feet from the intersection of such street right-of-way lines and pavement edge lines; or in the case of a round or cut property corner, from the intersection of the street right-of-way lines and pavement edge lines extended; or,
 2. On a lot adjacent to an at-grade railroad crossing, the clear sight triangular area is formed by the lot line coterminous with the railroad right-of-way, the street right-of-way line or pavement edge line, and the line connecting points twenty-five (25) feet from the intersection of such lines; or,
 3. On a lot which has a driveway, abuts an alley or which is next to a lot which has a driveway, the two (2) clear sight triangular areas are formed by the street right-of-way line, both sides of either the alley right-of-way or of the surface edge of the driveway, and the line connecting points ten (10) feet from the intersection of the street right-of-way line and driveway or alley lines extended.

Section 2.50 Sign height exception - tall signs.

If a street elevation to which the sign is oriented is more than ten (10) feet greater than the grade elevation at the base of the sign structure, the street elevation may be used as the grade elevation in determining the permitted sign and sign structure height; however,

- in no case shall the height of the sign or sign structure above the actual grade elevation at its base exceed eighty (80) feet; and,
 - the height of the sign and sign structure at the street's elevation shall not exceed the maximum noted for the sign in the applicable District (See "Maximum Sign Height" provision in the applicable District).
- A. Tall signs are permitted only in relation to interchanges on I-465 and the freeways between I-465 and the Marion County boundary lines.
- B. Only signs designed to give information in the specific interest of the traveling public, including, identification of places for camping, lodging, eating and vehicle services of gasoline service stations, shall be permitted to be constructed as tall signs.
- C. Tall signs shall be located only on the premises of the referred use or activity.
- D. The use to which the tall sign refers shall be located within 1,320 feet of the intersection of the center line of the freeway or expressway to which it is oriented and the intersecting street. In no event shall the tall sign be closer to the right-of-way of the main-travelled way of the freeway or expressway than the minimum setback specified in Section 4.40 of this Ordinance. (Refer to Diagram 28).

- E. The sign surface area for a tall sign shall not exceed the maximum sign area permitted for a freestanding identification sign in the applicable District.
- F. Only one (1) tall sign shall be permitted for any one (1) use. Such sign shall constitute the only identification pole or pylon sign permitted on the premises of the referred use.
- G. Tall signs shall not be permitted within six hundred (600) feet of any Protected District, measured from the leading edge of the sign to the zoning line of the Protected District.

Exception: This provision shall not apply if it can be determined that a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Protected District.

Refer to Diagrams 6 and 7 for illustrative guides to these provisions.

Section 2.60 Front sign setback exception.

Unless otherwise stated in this ordinance, no part of any freestanding business identification sign shall be located closer to a street right-of-way line than fifteen (15) feet, except that if an established building setback line along said right-of-way within two hundred (200) feet of the base of said sign, and not beyond the limits of the nearest street intersection in each direction is less than fifteen (15) feet from the right-of-way, the sign may be located so that no part of the sign is closer to the right-of-way than such building's setback line.

Section 2.70 Required permits.

Any sign not exempted from the requirements of obtaining an Improvement Location Permit (ILP) as noted in Chapter 2.00 EXEMPT SIGNS or identified as a prohibited sign type shall be required to obtain an ILP as stated in the Improvement Location Permit Ordinance of Marion County. Furthermore, any sign not identified as a permitted sign type in Chapter 5.00 Table A-D of the Sign Regulations is prohibited.

This provision shall not be construed to require an ILP for the routine maintenance or changing of the parts or copy of a sign for which an ILP has previously been issued, including changing a sign face, provided that the maintenance or change of parts or copy of a sign does not alter the surface area, height, or otherwise render the sign nonconforming, or increase the existing degree of nonconformity, with the standards of this ordinance.

Section 3.10 On-premise signs: Basic design elements.

Basic design elements for all on-premise signs.

- A. *Pole sign.* At its lowest point, the sign face of a pole sign shall be located a minimum of nine (9) feet above the grade. (Refer to Diagram 8).
- B. *Wall sign.* A wall sign shall not extend outward more than eighteen (18) inches from the building or structure wall. A wall sign may extend to a maximum of four (4) feet upward above a roof or parapet line, provided that at least fifty percent (50%) of the area of the wall sign shall be located below the roof or parapet line. (Refer to Diagram 9).
- C. *Roof-integral sign.* A roof-integral sign shall not exceed six (6) feet in height and shall not project more than eighteen (18) inches outward from the level of the roof measured horizontally from the sign's closest point to the roof. A roof-integral sign may extend up to the roof level line and not above the roof line or the top of the building or structure (as viewed in the elevation), provided the maximum height of the extended sign does not exceed twenty-six (26) feet measured from grade perpendicularly to the sign's highest point. (Refer to Diagram 10).
- D. *Pylon sign.* A sign face of a pylon sign may extend up from grade level provided the clear sight triangle provisions of Section 2.40, J shall be maintained.
- E. *Projecting sign.* A projecting sign or sign structure may extend up to, but not above, the roof level line or the top of the building or structure, as viewed in the elevation. (Refer to Diagram 11).

Section 3.20 On-premise signs: Dwelling districts.

A. *Regulations for freestanding identification signs.*

1. Where permitted.
 - a. Pole or pylon signs. Pole or pylon signs shall not be permitted in any Dwelling District, as noted in Chapter 5.00, Table B, "Permitted Sign Types" - On-Premise Signs - Residential Districts".
 - b. Ground signs shall be permitted for subdivision or project signs in the D-A, D-S, D-1, D-2, D-3, D-4, D-5, D-5II, D-6, D-6II, D-7, D-8, D-9, D-10, D-11, D-12, and D-P Dwelling Districts.
2. Maximum sign height - ground signs. No part of the sign face or the sign support structure of a ground sign shall be more than four (4) feet above grade level, subject to the provisions of Section 2.40, G, "Grade Mounding". If subdivision or project signs are attached to fences or walls, such fences or walls shall meet all height requirements outlined in Section 2.19 of the Dwelling Districts Zoning Ordinance relative to structural barriers.
3. Minimum setbacks, front. The minimum setback for all freestanding identification signs shall be fifteen (15) feet from the existing street right-of-way line unless subject to the provisions of Section 2.60 (Front Sign Setback Exception), provided, however, the following provisions shall also be met in the location of minimum front setbacks:

No freestanding identification sign shall be erected within any area designated by the Thoroughfare Plan for Marion County as required for right-of-way for a public street unless the owner of said sign provides a written commitment to the Department of Metropolitan Development to relocate said sign out of the right-of-way at his/her expense upon the acquisition of said property by the applicable governmental agency for transportation purposes and shall waive all claims to damages or compensation by reason of the existence or relocation of the sign.

4. Minimum setbacks, side and rear.
 - a. If illuminated, no freestanding identification sign facing the side or rear lot line of an abutting lot zoned as a Dwelling District shall be located within fifty (50) feet of such side or rear lot line.

Exception: This provision shall not apply if it can be determined that the illuminated freestanding identification sign is visibly obstructed from the Dwelling District.
 - b. No freestanding identification sign shall be located closer than five (5) feet to a side or rear property line.
5. Maximum sign area. The maximum sign area of a freestanding identification sign shall not exceed forty (40) square feet. If the sign is located on a fence or wall, only the area of the actual sign itself shall be calculated in determining the maximum sign area, not the fence or wall itself.
6. Number of signs. Two (2) freestanding identification subdivision or project ground signs shall be permitted at each entrance to a subdivision or project.

B. *Regulations for building identification signs.*

1. Wall signs.
 - a. Maximum size for wall signs. The maximum total sign area for a wall sign on a facade shall not exceed an amount equal to three (3) percent of the building facade or other architectural elevation to which the sign is oriented or three hundred (300) square feet, whichever is the lesser. The linear measurement of the sign shall not exceed eighty (80) percent of the linear frontage of the facade of the building (refer to Diagram 12).
 - b. Number of wall signs. One (1) wall sign shall be permitted for each building.
 - c. Wall signs on corner lots. On buildings having more than one (1) street frontage, the maximum allowable square footage of wall signs are permitted for each building's street frontage. Said

maximum allowance, however, is not transferable either in whole or in part from one building frontage to another nor from one occupancy to another.

- d. Distance from side or rear lot line when abutting a dwelling district. If illuminated, wall signs facing the side or rear lot line of an abutting lot zoned as a Dwelling District shall not be located within fifty (50) feet of such side or rear lot line.

Exceptions: This provision shall not apply if it can be determined that:

- (1) a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Dwelling District.
 - (2) the illuminated wall sign is visibly obstructed from the Dwelling District.
2. Roof signs. Roof signs shall not be permitted in any Dwelling District, as noted in Chapter 5.00, Table B, "Permitted Sign Types" - On-Premise Signs - Residential Districts".
 3. Roof-integral signs. Roof-integral signs shall not be permitted in any Dwelling District, as noted in Chapter 5.00, Table B, "Permitted Sign Types" - On-Premise Signs - Residential Districts".
 4. Projecting signs. Projecting signs shall not be permitted in any Dwelling District, as noted in Chapter 5.00, Table B, "Permitted Sign Types" - On-Premise Signs - Residential Districts".
 5. Awning or canopy signs. Awning or canopy signs shall be permitted in the D-6, D-6II, D-7, D-8 (multifamily), D-9, D-10, and D-P Dwelling Districts and shall:
 - a. be non-illuminated; and,
 - b. comply with the provisions of Section 4.10, A, 1, 4, 5, 6, and 7 ("Awning and Canopy Sign Regulations").
 6. Marquee signs. Marquee signs shall be permitted in the D-6, D-6II, D-7, D-8 (multifamily), D-9, D-10, D-11 and D-P Dwelling Districts and shall:
 - a. be non-illuminated; and,
 - b. comply with the provisions of Section 4.10, A, 1, 3, 4, 5, and 6 ("Marquee Sign Regulations").
 7. Suspended signs.
 - a. Where permitted. Suspended signs shall be permitted in the D-6, D-6II, D-7, D-8 (multifamily), D-9, D-10, D-11 and D-P Districts.
 - b. Maximum sign area. The maximum sign surface area for a suspended sign shall not exceed five (5) square feet.
 - c. Number of signs. One suspended sign shall be permitted per each building facade.
 - d. Clearance from grade. All portions of any suspended sign or sign structure (except for the supporting building) shall be not less than eight (8) feet above the finished grade.Refer to Diagram 13 for illustrative guides to these provisions.
 8. Window signs.
 - a. Where permitted. Window signs shall be permitted in any Dwelling District as noted in Chapter 5.00, Table B, "Permitted Sign Types" - On-Premise Signs - Residential Districts".
 - b. Maximum sign copy area. The sign copy area shall not exceed twenty (20) percent of the window surface area on which it is placed or through which it is viewed.

c. Number of window signs. One (1) window sign shall be permitted for each building.

d. Illumination. Window signs shall be non-illuminated.

C. *Regulations for incidental signs.* On-premise incidental signs shall be permitted in those districts identified in Chapter 5.00, Tables A, B, D in accordance with the following development standards:

1. Directional incidental signs.

a. The maximum height of the sign shall not exceed two and one half (2.5) feet.

b. The maximum sign surface area of the sign shall not exceed six (6) square feet.

c. The sign shall be setback a minimum of two feet from the existing street right-of-way.

d. Two such signs shall be permitted at each ingress or egress point on a lot.

2. Parking and loading incidental signs.

a. The maximum height of the sign shall not exceed four (4) feet.

b. The maximum sign surface area of the sign shall not exceed sixteen (16) square feet and may contain the name of the lot owner/operator.

c. The sign shall be setback a minimum of ten (10) feet from the existing street right-of-way.

d. One such sign shall be permitted per each frontage that contains an ingress/egress point.

3. Internal directory signs. Internal directory signs indicating only the names and addresses of the occupants of the premises on which the sign is to be located but containing no advertising material of any kind shall be subject to the following:

a. The internal directory signs may be either wall, ground or pylon signs.

b. There shall not be more than one (1) internal directory sign for each building or complex under unified control consisting of two (2) or more occupants. Internal directory signs shall not be permitted for single occupant buildings.

c. The aggregate gross surface area of an internal directory sign shall not exceed one (1) square foot for each occupant located in the building or complex.

d. The internal directory sign may be located within two (2) feet of any right-of-way, provided the requirements of Section 2.40, F (Clear Sight Triangular Area) are maintained.

e. An internal directory sign shall not project higher than ten (10) feet, as measured from the base of the building or the ground to which the sign is to be affixed.

4. Other incidental signs. See Chapter 2.00, Exempt signs.

Section 3.30 On-premise signs: Commercial and industrial districts.

A. Freestanding identification signs.

1. Maximum sign height - pole and pylon signs.

a. Single use - the maximum height of a freestanding identification pole or pylon sign and its supporting structure shall not exceed the heights noted in table 3.00-A. These signs shall be measured from grade level at the base of the sign structure.

TABLE 3.00-A	
MAXIMUM SIGN HEIGHT - POLE AND PYLON SIGNS - SINGLE USE	
ZONING DISTRICT	PERMITTED MAXIMUM HEIGHT
C-1*, C-2*, C-3C*	Twenty-five (25) feet
C-3, C-4, C-5, C-6, C-7, C-ID	Forty (40) feet
Any Industrial District	Forty (40) feet
<p>* Pole or pylon signs shall not be permitted within six hundred (600) feet of a Protected District, as defined in Chapter 6.00. The method of measurement shall be taken from the leading edge of the sign to the zoning line of the Protected District (Refer to Diagram 7).</p> <p>Pole or pylon signs shall not be illuminated within six hundred (600) feet of a Protected District. The method of measurement shall be taken from the leading edge of the sign to the zoning line of the Protected District (Refer to Diagram 7)</p> <p>Exceptions: The provision prohibiting pole or pylon signs within six hundred (600) feet of a Protected District shall not apply if it can be determined that:</p> <p>(1) a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Protected District; or,</p> <p>(2) the sign is visibly obstructed from the Protected District.</p>	

b. Integrated centers - the maximum height of a freestanding identification pole or pylon sign and its supporting structure identifying an integrated center shall not exceed forty (40) feet above grade level at the base of such structure.

2. Maximum sign height - ground sign. No part of the sign face and the sign support structure of a freestanding identification ground sign shall be more than four (4) feet above grade level (Refer to Diagram 14).
3. Minimum setbacks, front. The minimum setback for all freestanding identification signs shall be fifteen (15) feet from the existing street right-of-way line, unless subject to the provisions of Section 2.60 (Front Sign Setback Exception). Provided, however, the following provisions shall also be met in the location of minimum front setbacks:

No freestanding identification sign shall be erected within any area designated by the Thoroughfare Plan for Marion County as required for right-of-way for a public street unless the owner of said sign provides a written commitment to the Department of Metropolitan Development to relocate said sign out of the right-of-way at his/her expense upon the acquisition of said property by the applicable governmental agency for transportation purposes and shall waive all claims to damages or compensation by reason of the existence or relocation of the sign.

4. Minimum setbacks, side or rear.
 - a. No freestanding identification sign facing the side or rear lot line of an abutting lot zoned as a Dwelling District shall be located within fifty (50) feet of such side or rear lot line.

Exception: This provision shall not apply if it can be determined that a commercial or industrial use, legally established by permanent variance of lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Protected District.

- b. No freestanding identification sign shall be located closer than five (5) feet to a side or rear property line.

5. Maximum sign area.

a. Freestanding Identification Signs Not A Part of An Integrated Center.

- (1) The sign surface area of a freestanding identification sign shall not exceed that specified in the following table:

TABLE 3.00-B	
FREESTANDING IDENTIFICATION SIGN - SINGLE USE	
FRONTAGE (to which the sign is oriented)	MAXIMUM SIGN AREA
a. Up to fifty (50) linear feet	One hundred fifty (150) square feet.
b. between fifty (50) and one hundred ten (110) linear feet	1.5 additional square feet of sign area per each additional linear foot of frontage over fifty (50) feet to which the sign is oriented.
c. between one hundred ten (110) and three hundred (300) linear feet	No additional square feet of sign area than that allowed by b. above.
d. between three hundred (300) and five hundred (500) linear feet	0.75 additional square foot of sign area per each additional linear foot of frontage over three hundred (300) feet to which the sign is oriented. In no case shall the sign area exceed three hundred ninety (390) square feet.
e. over five hundred (500) linear feet	three hundred ninety (390) square feet.

- (2) On lots with a linear frontage oriented to the same street in excess of three hundred (300) linear feet, a second freestanding identification sign may be utilized (see #6 NUMBER OF SIGNS for additional provisions). If two (2) freestanding identification signs are utilized, however, the combined area (in square feet) of both signs shall not exceed that allowed based upon the linear street frontage to which the sign is oriented or three hundred ninety (390) square feet, whichever is the lesser (Refer to Diagram 15).

b. Freestanding Identification Signs for Integrated Centers.

- (1) The sign surface area of a freestanding identification sign for an Integrated Center shall not exceed that specified in the following table:

TABLE 3.00-C	
FREESTANDING IDENTIFICATION SIGN - INTEGRATED CENTERS	
FRONTAGE (to which the sign is oriented)	MAXIMUM SIGN AREA
a. Up to fifty (50) linear feet	Two hundred (200) square feet.
b. between fifty (50) and three hundred fifty (350) linear feet	one (1) additional square foot of sign area per each additional linear foot of frontage over fifty (50) feet to which the sign is oriented.
c. between three hundred fifty (350) and five hundred (500) linear feet	No additional square feet of sign area than that allowed by b. above.
d. between five hundred (500) and one thousand one hundred (1100) linear feet	0.75 additional square foot of sign area per each additional linear foot of frontage over five hundred (500) feet to which the sign is oriented. In no case shall the sign area exceed nine hundred (900) square feet.
e. over one thousand one hundred (1100) linear feet	nine hundred (900) square feet.

- (2) On lots with a linear frontage oriented to the same street in excess of five hundred (500) linear feet, a second freestanding identification sign for an integrated center may be utilized (see #6 NUMBER OF SIGNS for additional provisions). If two (2) freestanding identification signs are utilized, however, the combined area (in square feet) of both signs shall not exceed that allowed based upon the linear street frontage to which the sign is oriented or nine hundred (900) square feet, whichever is the lesser.

Provided, however, the sign surface area of a freestanding identification sign for an Integrated Center shall not exceed a maximum of five hundred (500) square feet for a sign oriented to a secondary arterial, collector, local, marginal access or private streets.

6. Number of signs. One (1) freestanding identification sign shall be allowed on a lot for each frontage on a separate street.

Exceptions:

- a. Extensive Frontage. Where a lot has in excess of three hundred (300) linear feet of street frontage on the same street, one additional freestanding identification sign shall be allowed for each additional three hundred (300) linear feet of street frontage on that street. Such additional signs shall be subject to all other provisions of this ordinance. In no event shall an additional freestanding identification sign as permitted in this section be located any closer than three hundred (300) feet to any other freestanding identification sign on the same lot (Refer to Diagram 15).
- b. Corner Lots. On corner lots the maximum number and square footage of freestanding identification signs shall be permitted for each street frontage. Said maximum allowances, however, shall not be transferable either in whole or in part from one street frontage to another.

B. Building identification signs.

1. Maximum surface area for building identification signs.

- a. The maximum sign surface area for building identification signs shall not exceed twenty (20) percent of the area of the front facade, fifteen (15) percent of the area of the side facades (each side facade shall be calculated separately) and ten (10) percent of the rear facade (Refer to Diagram 16).
- b. Any combination of building identification signs may be utilized, so long as the total surface area of signs on a particular building facade does not exceed the percentage noted in a. above, and subject to any additional provisions of subsection B, "Building Identification Signs".

2. Wall signs.

- a. Maximum size for wall signs. In addition to Section 3.30, B, 1 above, the linear measurement of the sign shall not exceed eighty (80) percent of the linear frontage of the facade of the structure or tenant space. (See Diagram 16.)
- b. Number of wall signs. There shall be no limit on the number of wall signs allowed, provided the provisions of Section 3.30, B, 1 above are not exceeded on the facade on which the signs are located.
- c. Wall signs on corner lots. On buildings having more than one (1) street frontage, the maximum allowable square footage of wall signs are permitted for each building frontage or occupancy. Said maximum allowance, however, is not transferable either in whole or in part from one building frontage to another nor from one occupancy to another occupancy.
- d. Distance from side or rear lot line when abutting a dwelling district. An illuminated wall sign shall not be permitted within fifty (50) feet of a side or rear lot line of an abutting lot line zoned as a Dwelling District when such sign faces said side or rear lot line.

Exceptions: This provision shall not apply if it can be determined that:

(1) a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as Dwelling District; or,

(2) the illuminated wall sign is visibly obstructed from the Dwelling District.

3. Roof signs. Roof signs shall not be permitted.

4. Roof-integral signs.

a. Where permitted. Roof-integral signs shall be permitted in any Commercial or Industrial Districts.

b. Maximum sign area. Same as Section 3.30, B, 1.

c. Number of signs. One (1) roof-integral sign shall be permitted per each building facade (if a single use) or tenant space (if an integrated center), subject to the provisions of Section 3.30, B, 1, b.

d. Distance from side or rear lot line when abutting a dwelling district. An illuminated roof-integral sign shall not be permitted within fifty (50) feet of a side or rear lot line of an abutting lot line zoned as a Dwelling District when such sign faces said side or rear lot line.

Exceptions: This provision shall not apply if it can be determined that:

(1) a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as Dwelling District; or,

(2) the illuminated roof-integral sign is visibly obstructed from the Dwelling District.

5. Projecting signs.

a. Where permitted. Projecting signs shall be permitted in any Commercial or Industrial Districts.

b. Maximum sign area. Same as Section 3.30, B, 1.

c. Number of signs. One projecting sign shall be permitted per each building facade (if a single use) or grade level tenant space (if an integrated center), subject to the provisions of Section 3.30, B, 1, b.

d. Maximum projection from a building. No projecting sign or sign structure shall extend more than eight (8) feet from or beyond its supporting building.

e. Clearance from grade. All portions of any projecting sign or sign structure shall be not less than eight (8) feet above the finished grade (see Diagram 11).

f. Minimum setback, front. The horizontal projection of any projecting sign may extend to a point not closer than two (2) feet from an imaginary perpendicular vertical plane at the street pavement line, curb or outside edge of the sidewalk.

6. Suspended signs.

a. Where permitted. Suspended signs shall be permitted in any Commercial or Industrial Districts.

b. Maximum sign area. The maximum sign surface area for a suspended sign shall not exceed five (5) square feet. In addition, the provisions of Section 3.30, B, 1, shall apply.

c. Number of signs. One suspended sign shall be permitted per each building facade (if a single use) or grade level tenant space (if an integrated center).

d. Clearance from grade. All portions of any suspended sign or sign structure shall be not less than eight (8) feet above the finished grade.

Refer to Diagram 13 for illustrative guides to these provisions.

7. Window signs. The sign copy area shall not exceed twenty-five (25) percent of the window surface area on which it is placed or through which it is viewed.

The sign surface area of window signs shall be calculated separately from the calculation of other building identification signs and shall not be included in the total area of other building identification signs permitted.

8. Awning and canopy signs. See Chapter 4.00, Section 4.10, "Awning and Canopy Sign Regulations".
9. Marquee signs. See Chapter 4.00, Section 4.20, "Marquee Sign Regulations".

C. *Incidental signs.* On-premise incidental signs shall be permitted in those districts identified in Chapter 5.00, Table A, in accordance with the following development standards:

1. Directional incidental signs.
 - a. The maximum height of the sign shall not exceed two and one half (2.5) feet.
 - b. The maximum sign surface area of the sign shall not exceed six (6) square feet.
 - c. The sign shall be setback a minimum of two feet from the existing street right-of-way.
 - d. Two such signs shall be permitted at each ingress or egress point on a lot.
2. Parking and loading incidental signs.
 - a. The maximum height of the sign shall not exceed four (4) feet.
 - b. The maximum sign surface area of the sign shall not exceed sixteen (16) square feet and may contain the name of the lot owner/operator.
 - c. The sign shall be setback a minimum of ten (10) feet from the existing street right-of-way.
 - d. One such sign shall be permitted per each frontage that contains an ingress/egress point.
3. Internal directory signs. Internal directory signs indicating only the names or addresses of the occupants of the premises on which the sign is to be located but containing no advertising material of any kind shall be subject to the following:
 - a. The internal directory signs may be either wall, ground or pylon signs.
 - b. There shall not be more than one (1) internal directory sign for each office, industrial, and institutional building or complex under unified control consisting of two (2) or more occupants. Internal directory signs shall not be permitted for single occupant offices, industrial and institutional buildings or complexes.
 - c. The aggregate gross surface area of an internal directory sign shall not exceed five (5) square feet for each occupant located in the building or complex.
 - d. The internal directory sign may be located within two (2) feet of any right-of-way, provided the requirements of Section 2.40, J (Clear Sight Triangular Area) are maintained.
 - e. An internal directory sign shall not project higher than ten (10) feet, as measure from the base of the building or the ground to which the sign is to be affixed.
4. Other incidental signs. See Chapter 2.00, Exempt Signs.

Section 3.40 On-premise signs: Special zoning districts.

The following regulations shall pertain to on-premise business signs in all Special Zoning Districts where permitted by Chapter 5.00, Table C and this Section. Off-premise (outdoor advertising) signs shall not be permitted in any Special Zoning District.

A. *Regulations for freestanding identification signs.*

1. Where permitted.

- a. *Pole or pylon signs* shall be permitted in any Special Use (SU) District, the HD-1 and HD-2 Districts (Hospital District One and Two), the PK-2 District (Park District Two), and UQ-1 District (University Quarter One).

Provided, however, pole or pylon signs shall not be permitted within six hundred (600) feet of a Dwelling District, as defined in Chapter 6.00. The method of measurement shall be taken from the leading edge of the sign to the zoning line of the Dwelling District (Refer to Diagram 7).

Exceptions: The provision prohibiting pole or pylon signs within six hundred (600) feet of a Dwelling District shall not apply if it can be determined that:

- (1) a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Dwelling District; or,

- (2) the sign is visibly obstructed from the Protected District.

- b. *Ground signs* shall be permitted in any Special Use (SU) District, the HD-1 and HD-2 Districts (Hospital District One and Two), the PK-1 and PK-2 Districts (Park District One and Two) and the UQ-1 and UQ-2 Districts (University Quarter District One and Two).

2. Maximum sign height.

- a. *Pole or pylon signs.* The maximum height of a freestanding identification pole or pylon sign and its supporting structure shall not exceed twenty-five (25) feet above grade level at the base of the structure.

- b. *Ground signs.* No part of the sign face or the sign support structure of a ground sign shall be more than four (4) feet above grade level, subject to the provisions of Section 2.40, G, "Grade Mounding". (Refer to Diagram 14).

3. Minimum setbacks, front. Subject to the provisions of Section 2.40, J (Clear Sight Triangular Area), the minimum setback for all freestanding identification signs shall be fifteen (15) feet from the existing street right-of-way line unless subject to the provisions of Section 2.60 (Front Sign Setback Exception), provided, however, the following provisions shall also be met for the location of the minimum front setbacks:

No freestanding identification sign shall be erected within any area designated by the Thoroughfare Plan for Marion County as required for right-of-way for a public street unless the owner of said sign provides a written commitment to the Department of Metropolitan Development to relocate said sign out of the right-of-way at his/her expense upon the acquisition of said property by the applicable governmental agency for transportation purposes and shall waive all claims to damages or compensation by reason of the existence or relocation of the sign.

4. Minimum setbacks, side and rear.

- a. If illuminated, no freestanding identification sign facing the side or rear lot line of an abutting lot zoned as a Dwelling District shall be located within fifty (50) feet of such side or rear lot line.

Exceptions: This provision shall not apply if it can be determined that:

- (1) a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Dwelling District.
 - (2) the illuminated freestanding identification sign is visibly obstructed from the Dwelling District.
- b. No freestanding identification sign shall be located closer than five (5) feet to a side or rear property line.
5. Maximum sign area. The maximum sign area of a freestanding identification sign shall not exceed an amount equal to three (3) percent of the building facade or other architectural elevation to which the sign is oriented, or two hundred and forty (240) square feet, whichever is the lesser.
6. Number of signs. One (1) freestanding identification sign shall be allowed for each frontage on a separate street.

Exceptions:

- a. *Extensive frontage.* Where a lot has in excess of three hundred (300) feet of street frontage on the same street, one (1) additional freestanding identification sign shall be allowed for each additional three hundred (300) feet of street frontage on that street. Such additional signs shall be subject to all other provisions of this ordinance. In no event shall an additional freestanding identification sign, as permitted in this section, be located any closer than three hundred (300) feet to any other freestanding identification sign on the same lot (Refer to Diagram 15).
- b. *Corner lots.* On corner lots, the maximum number and square footage of freestanding identification signs shall be permitted for each street frontage. Said maximum allowances, however, shall not be transferable either in whole or in part from one street to another.

B. *Regulations for building identification signs.*

1. Maximum surface area for building identification signs.
 - a. The maximum sign surface area for building identification signs shall not exceed an amount equal to three (3) percent of the building facade or other architectural elevation to which the sign is oriented. The linear measurement of the sign shall not exceed eighty (80) percent of the linear frontage of the facade of the structure or tenant space (Refer to Diagram 12).
 - b. Any combination of building identification signs permitted in this Section may be utilized, so long as the total surface area of signs on a particular building facade does not exceed the percentage noted in a. above, and subject to any additional provision of subsection B, "Building Identification Signs".
2. Wall signs.
 - a. *Number of wall signs.* There shall be no limit on the number of wall signs allowed, provided the provisions of B, 1, a, above are not exceeded on the facade on which the signs are located.
 - b. *Wall signs on corner lots.* On buildings having more than one street frontage, the maximum allowable square footage of wall signs are permitted for each building frontage or occupancy. Said maximum allowance, however, is not transferable either in whole or in part from one building frontage to another nor from one occupancy to another occupancy.
 - c. *Distance from side or rear lot line when abutting a dwelling district.* If illuminated, no wall sign facing the side or rear lot line of an abutting lot zoned as a Dwelling District shall be located within fifty (50) feet of such side or rear lot line.

Exceptions: This provision shall not apply if it can be determined that:

- (1) a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Dwelling District; or,
 - (2) the illuminated wall sign is visibly obstructed from the Dwelling District.
3. Roof signs. Roof signs shall not be permitted in any Special Zoning District, as noted in Chapter 5.00, Table C, "Permitted Sign Types - On-Premise Signs, Special Zoning Districts".
4. Roof-integral signs.
 - a. *Where permitted.* Roof-integral signs shall be permitted in the HD-2 District, and in the PK-2 District for all but residential uses.
 - b. *Maximum sign area.* Same as Section 3.40, B, 1.
 - c. *Number of signs.* One (1) roof-integral sign shall be permitted per each building facade (if a single use) or grade level tenant space (if an integrated center), subject to the provisions of Section 3.40, B, 1, b.
5. Projecting signs.
 - a. *Where permitted.* Projecting signs shall be permitted in any Special Use (SU) District.
 - b. *Maximum sign area.* Same as Section 3.40, B, 1.
 - c. *Number of signs.* One (1) projecting sign shall be permitted per each building facade (if a single use) or grade level tenant space (if an integrated center), subject to the provisions of Section 3.40, B, 1, b.
 - d. *Maximum projection from a building.* No projecting sign or sign structure shall extend more than eight (8) feet from or beyond its supporting building.
 - e. *Clearance from grade.* All portions of any projecting sign or sign structure shall be not less than eight (8) feet above the finished grade.
 - f. *Minimum setbacks, front.* The horizontal projection of any projecting sign may extend to a point no closer than two (2) feet to an imaginary perpendicular vertical plane at the street pavement line, curb or outside edge of the sidewalk.

Refer to Diagram 11 for illustrative guides to these provisions.
6. Awning or canopy signs. Awning or canopy signs shall be permitted in any Special Use (SU) District, the HD-1 and HD-2 Districts (Hospital District One and Two), and the PK-2 District (Park District Two), and shall:
 - a. be non-illuminated; and,
 - b. comply with the provisions of Section 4.10, A, 1, 4, 5, 6, and 7 ("Awning and Canopy Sign Regulations") and the provisions of Section 3.40, B, 1, b.
7. Marquee signs. Marquee signs shall be permitted in any Special Use (SU) District, the HD-1 and HD-2 Districts (Hospital District One and Two), and the PK-2 District (Park District Two), and shall:
 - a. be non-illuminated; and,
 - b. comply with the provisions of Section 4.10, A, 1, 4, 5, 6, and 7 ("Awning and Canopy Sign Regulations") and the provisions of Section 3.40, B, 1, b.
8. Suspended signs.

- a. *Where permitted.* Suspended signs shall be permitted in any Special Zoning District as noted in Chapter 5.00, Table C - "Permitted Sign Types - On-Premise Signs, Special Zoning Districts".
- b. *Maximum sign area.* The maximum sign surface area for a suspended sign shall not exceed five (5) square feet.
- c. *Number of signs.* One suspended sign shall be permitted per each building facade (if a single use) or grade level tenant space (if an integrated center).
- d. *Clearance from grade.* All portions of any suspended sign or sign structure shall be not less than eight (8) feet above the finished grade.

Refer to Diagram 13 for illustrative guides to these provisions.

9. Window signs.

- a. *Where permitted.* Window signs shall be permitted in any Special Zoning District as noted in Chapter 5.00, Table C, - "Permitted Sign Types - On -Premise Signs, Special Zoning Districts".
- b. *Maximum sign area.* The sign copy area shall not exceed twenty-five (25) percent of the window surface area on which it is placed or through which it is viewed.

C. *Regulations for incidental signs.* Incidental signs shall be permitted in any Special Zoning District subject to the regulations of Section 3.30, C, "Incidental Signs".

Section 3.50 On-premise signs: Central business district signs (CBD-1, CBD-2, CBD-3 and CBD-S).

The following regulations shall pertain to on-premise business signs in all CBD Districts where permitted by Chapter 5.00, Table D. and this Section. Off-premise (outdoor advertising) signs in the CBD Districts also shall follow the regulations of Section 3.60.

Any on-premise business sign erected on a building or lot located within a locally-designated historic preservation area as established by, and under the jurisdiction of, the Indianapolis Historic Preservation Commission (IHPC) shall be exempt from the provisions of this Section (3.50) of this ordinance. The type, number, area, height, illumination and location of such signs located within such historic preservation areas shall be as determined by the IHPC. The specific standards and requirements for on-premise business signs shall be as set forth in and specified by the grant of a Certificated of Appropriateness following all procedures set forth by the IHPC.

A. *Regulations for freestanding identification signs.*

1. Where permitted.

a. *Pole or pylon signs:*

- (1) shall be permitted only for surface parking lots in the CBD-1 and CBD-2 Districts.
- (2) shall be permitted in the CBD-3 District only for surface parking lots. In no case, however, shall pole or pylon signs be permitted on the street frontage of any lot abutting American Legion Mall, Veterans Memorial Plaza, the Indiana War Memorial or University Park.
- (3) shall be permitted in the CBD-S District.

b. *Ground signs* shall be permitted in all CBD Districts.

2. Maximum sign height.

- a. *Pole or pylon signs.* The maximum height of a pole or pylon sign and its supporting structure shall not exceed twenty (20) feet above grade level at the base of such structure, subject to the provisions of Section 2.40, G, "Grade Mounding".

- b. *Ground signs.* No part of the sign face or the sign support structure of a ground sign shall be more than four (4) feet above grade level, subject to the provisions of Section 2.40, G, "Grade Mounding".

3. Minimum setbacks, front.

- a. The minimum setback for freestanding identification pole pylon signs shall be ten (10) feet from the existing street right-of-way line, provided, however, the provisions of Section 3.50, A, 3, c. below shall also be met.
- b. The maximum setback for freestanding identification ground signs shall be zero (0) feet from the existing street right-of-way line, provided, however, the provisions of Section 3.50, A, 3, c. below shall also be met.
- c. No freestanding identification sign shall be erected within any area designated by the Thoroughfare Plan for Marion County as required for right-of-way for a public street unless the owner of said sign provides a written commitment to the Department of Metropolitan Development to relocate said sign out of the right-of-way at his/her expense upon the acquisition of said property by the applicable governmental agency for transportation purposes and shall waive all claims to damages or compensation by reason of the existence or relocation of the sign.

4. Minimum setbacks, side and rear. If illuminated, no freestanding identification sign facing the side or rear lot line of an abutting lot zoned as a Dwelling District shall be located within fifty (50) feet of such side or rear lot line.

Exception: This provision shall not apply if it can be determined that:

- a. a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Dwelling District.
- b. the illuminated sign is visibly obstructed from the Dwelling District.

5. Maximum sign area. The sign surface area of a freestanding identification sign shall not exceed one (1) square foot in sign surface area for each lineal foot of that lot's street frontage (to which the sign is oriented). In no case, however, shall the maximum sign surface area exceed one hundred (100) square feet.

6. Number of signs. One (1) freestanding identification sign shall be allowed for each frontage on a separate street.

Exceptions:

- a. *Extensive frontage.* Where a lot has in excess of three hundred (300) feet of street frontage on the same street, one (1) additional freestanding identification sign shall be allowed for each additional three hundred (300) feet of street frontage on that street. Such additional signs shall be subject to all other provisions of this ordinance. In no event shall an additional freestanding identification sign, as permitted in this section, be located any closer than three (300) feet to any other freestanding identification sign on the same lot (Refer to Diagram 15).
- b. *Corner lots.* On corner lots, the maximum number and square footage of freestanding identification signs shall be permitted for each street frontage. Said maximum allowances, however, shall not be transferable either in whole or in part from one street to another.

B. Regulations for building identification signs.

1. Lower level building identification signs. Signs located on:

- the first twenty-six (26) feet of building height; or
- the actual building height, whichever is lesser (measured from grade), shall be considered lower level building identification signs and shall conform to the following regulations.

- a. *Maximum size for lower level building identification signs.* The maximum sign surface area for lower level building identification signs shall not exceed twenty (20) percent of the facade as noted in the formula below:

Maximum permitted sign surface area = 20% (A X B)

A = twenty-six (26) feet or the height of the building, whichever is lesser.

B = width of the facade (measured in feet) on which the sign is to be placed.

(The application of this provision is illustrated in Diagram 17).

- b. *Number of lower level building identification signs.* One (1) sign for each basement, grade level or second story occupant of the building shall be permitted.

Exception: Buildings in which a single tenant occupies the entire basement, grade level or second story leasable space, or a leasable space with two hundred (200) or more linear feet of street frontage, may have an additional lower level building identification sign on that street frontage only.

Provided, the maximum sign surface area permitted for that facade, as noted in Section 3.50, B, 1, a, (1) above shall not be exceeded for the total number of lower level building identification signs.

- c. *Location of lower level building identification signs.* Lower level wall signs shall be located only on facades which front on a street.
- d. *Lower level building identification signs on corner lots or lots which have multiple street frontages.* On buildings having more than one street frontage, the maximum allowable square footage of lower level building identification signs shall be permitted for each building frontage. Said maximum allowance, however, is not transferable either in whole or in part from one building to another nor from one occupancy to another occupancy.
- e. *Distance from side or rear lot line when abutting a Dwelling District.* If illuminated, no building identification sign facing the side or rear lot line of an abutting lot zoned as a Dwelling District shall be located within fifty (50) feet of such side or rear lot line.

Exception: This provision shall not apply if it can be determined that:

1. a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Dwelling District; or,
 2. the illuminated sign is visibly obstructed from the Dwelling District.
2. *Upper level building identification signs.* Signs located on a building facade above twenty-six (26) feet in height, measured from grade, shall be considered upper level building identification signs and shall conform to the following regulations.

- a. *Placement.* Upper level building identification signs shall be located on a facade above a height of twenty-six (26) feet, measured from the grade level.
- b. *Maximum size for upper level building identification signs.* The maximum sign surface area for upper level building identification signs shall not exceed ten (10) percent of the facade as noted in the formula below:

Maximum permitted sign surface area = 10% (A X B)

A = height of building (measured from grade, in feet). This figure shall be reduced by subtracting the first twenty-six (26) feet in height of the building, measured from grade level.

B = width of the facade (measured in feet) on which the sign is to be placed

(The application of this provision is illustrated in Diagram 17).

- c. *Number of upper level building identification signs.* One (1) sign for each facade of the building shall be permitted, provided the maximum sign surface area permitted for that facade, as noted in Section 3.50, B, 1, a, (1) above is not exceeded. These signs may identify either the name of the building or a tenant of that building.
- d. *Location of upper level building identification signs.* Upper level building identification signs shall be located on any facade or architectural elevation of the building.

Provided, however, that on buildings having upper level building identification signs on more than one facade, the maximum allowance for a facade is not transferable either in whole or in part from one building to another nor from one occupancy to another occupancy.

- 3. *Wall signs.* Wall signs shall be of individual letter construction in the CBD-1 and CBD-3 Districts. Where construction materials/methods of buildings would pose practical difficulties for the erection of individual letter wall signs, raceways can be used on which the individual letters can be mounted.
- 4. *Roof signs.* Roof signs shall not be permitted in any CBD District.

Exception: Signs that are painted on, or otherwise attached flat and directly to, the roof structure, and which do not extend vertically from the roof structure, shall be permitted on public buildings (those buildings owned, operated, controlled or under some jurisdiction of a unit of Federal, State or Local Government). Signs permitted under this exception shall be regulated as upper level business signs for purposes of sign surface area and number.

- 5. *Roof-integral signs.*

- a. *Where permitted.* Roof integral signs shall be permitted in the CBD-2, CBD-3 and CBD-S Districts.
- b. *Maximum sign area.* Same as Section 3.30, B, 1.
- c. *Number of signs.* One (1) roof-integral sign shall be permitted per each building facade (if a single use) or tenant space (if an integrated center), subject to the provisions of Section 3.30, B, 1, b.
- d. *Distance from side or rear lot line when abutting a dwelling district.* An illuminated roof-integral sign shall not be permitted within fifty (50) feet of a side or rear lot line of an abutting lot line zoned as a Dwelling District when such sign faces said side or rear lot line.

Exception: This provision shall not apply if it can be determined that:

- 1. a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as Dwelling District.
- 2. the illuminated roof-integral sign is visibly obstructed from the Dwelling District.

- 6. *Projecting signs.*

- a. *Where permitted.* Projecting signs shall be permitted in any CBD District, except in the CBD-1 District on lots which front Monument Circle. Projecting signs shall be permitted as lower level signs only for basement, grade level or second story occupants of the building.
- b. *Maximum sign area.* The sign surface area of a projecting sign shall not exceed twenty four (24) square feet.
- c. *Number of signs and placement.* One (1) projecting sign shall be permitted per tenant space, to be placed on the building facade from which the tenant gains direct access into their business.
- d. *Maximum projection from a building and minimum front setback.*

- (1) No projecting sign or sign structure shall extend more than eight (8) feet from or beyond its supporting building.

Exception: A Projecting sign or sign structure shall not extend more than three (3) feet from or beyond its supporting building when such sign or structure is located on and oriented toward East or West Market Street between Capitol Avenue and Alabama Street.

- (2) The horizontal projection of any projecting sign may extend to a point not closer than two (2) feet from an imaginary perpendicular vertical plane at the street pavement line, curb or outside edge of the sidewalk.

Refer to Diagram 11 for illustrative guides to these provisions.

- e. *Clearance from grade.* All portions of a projecting sign or sign structure shall be not less than eight (8) feet above the finished grade.

7. *Awning or canopy signs.* Awning or canopy signs shall be permitted in any CBD District subject to the regulations of Section 4.10, "Awning and Canopy Sign Regulations".

Exception: An awning or canopy sign or sign structure shall not extend more than three (3) feet from or beyond its supporting building when such sign or structure is located on and oriented toward East or West Market Street between Capitol Avenue and Alabama Street.

8. *Marquee signs.* Marquee signs shall be permitted in any CBD District subject to the regulations of Section 4.20, "Marquee Sign Regulations".

Exception: A marquee sign or sign structure shall not extend more than three (3) feet from or beyond its supporting building when such sign or structure is located on and oriented toward East or West Market Street between Capitol Avenue and Alabama Street.

9. *Suspended signs.*

- a. *Where permitted.* Suspended signs shall be permitted in any CBD District.
- b. *Maximum sign area.* The maximum sign surface area for a suspended sign shall not exceed five (5) square feet.
- c. *Number of signs.* One suspended sign shall be permitted per each building facade (if a single use) or grade level tenant space (if an integrated center).
- d. *Clearance from grade.* All portions of any suspended sign or sign structure shall be not less than eight (8) feet above the finished grade.

Refer to Diagram 13 for illustrative guides to these provisions.

10. *Window signs.*

- a. *Where permitted.* Window signs shall be permitted in any CBD District.
- b. *Maximum sign area.* The sign copy area of window signs shall not exceed twenty (20) percent of the window surface area on which it is placed or through which it is viewed.

The Administrator, upon request by the applicant, shall have the power to modify the requirements of this provision and approve alternatives for those requirements as long as the alternative plan is appropriate for the site and its surrounding and is compatible and consistent with the intent of the stated standards. Such modification shall be noted on the alternative plan, stamped approved by the Administrator and become a part of the requirements for the Improvement Location Permit.

- C. *Regulations for incidental signs.* Incidental signs shall be permitted in any CBD District subject to the regulations of Section 3.30, C, "Incidental Signs".

- D. *Special regulations for promotional banners.* Temporary promotional banners, located on permanent banner poles or on street light standards structurally modified to accommodate banners, erected by or sanctioned by the City of Indianapolis, shall be permitted in the CBD-1, CBD-2, CBD-3 and CBD-S Districts.

Only such banners promoting community activities, cultural or sports programs important to the city's image or economy; or not-for-profit organizations serving the community shall be permitted under this provision.

Individual promotional banners may be displayed for a maximum of thirty (30) days.

Banners shall not exceed thirty inches (30") wide and eighty-five inches (85") long.

A banner program, indicating location of permanent banner poles or street light standards and size of promotional banners to be displayed, shall be submitted for Regional Center review and approval. The banner program shall also be submitted to the Department of Capital Asset Management for its review and approval, if banner poles are proposed to be located within the public right-of-way.

Once a banner program has been approved, individual temporary banners shall not require additional approval. Any changes to the banner program, however, shall require the appropriate agency review and approval.

An ILP shall not be required if the provisions noted above are satisfied.

Section 3.60 Off-premise (outdoor advertising) signs.

- A. *General regulations.* The following regulations shall pertain to off-premise signs (also known as outdoor advertising signs) in all districts where permitted by Chapter 5.00, Table D.:

Also, refer to Section 4.40, C. (Signs on Freeways and Expressways) for additional requirements.

1. Proportional regulations: The size of an outdoor advertising sign on a lot shall not exceed the size specified in the following table:

TABLE 3.60 - A	
Lot Size (in square feet)	Maximum Sign Dimensions (vertical by horizontal)
Up to 10,000	6 ft. by 12 ft.
10,000+ - 20,000	12 ft. by 12 ft.
20,000+ - 43,560	12 ft. by 25 ft.
43,560+	10.5 ft. by 36 ft.* or 12 ft. by 50 ft. or 14 ft. by 48 ft.*
	* - plus extensions as defined in Chapter 6.00.

2. Outdoor advertising sign size: The face of an outdoor advertising sign shall not be greater than fourteen (14) feet in vertical dimension nor greater than fifty (50) feet in horizontal dimension, except where specifically regulated by Section 4.40 and shall not contain more than two (2) advertising signs per facing.
3. Distance between outdoor advertising signs: Except as otherwise provided for signs in the protected areas along highways, freeways and expressways (see Section 4.40), the minimum distance between outdoor advertising signs shall be as specified below. The application of these provisions are illustrated in Diagrams 18 and 19:

- a. *Linear spacing between outdoor advertising signs.* The minimum distance between outdoor advertising signs located along and oriented toward the same public street shall be one-thousand (1,000) feet, (Refer to Diagram 18), subject to the following:
 - (1) The spacing requirement shall be applied regardless of whether the signs are on the same side of the street.
 - (2) The spacing requirement shall be applied continuously along a street to all signs oriented toward that street in either direction whether the signs are in the same block or are in different blocks separated by an intersecting street.
 - (3) For purposes of applying the spacing requirement to outdoor advertising signs, pole, roof, wall, ground and projecting signs shall be treated the same, whether double-faced or single-faced.
 - (4) Outdoor advertising signs located at the same intersection are not in violation of the minimum spacing requirement specified in this section because of their nearness to one another if they are located so that their messages are directed toward traffic flowing in different directions.
- b. *Radial spacing between outdoor advertising signs.* In no event shall any point of an outdoor advertising sign or sign structure be closer than five hundred (500) feet from any point of any other outdoor advertising sign or sign structure regardless of location or orientation. (The application of this provision is illustrated in Diagram 19):
- c. *Method of measurement.* The method of measurement of the spacing between outdoor advertising signs oriented toward the same street shall be along the centerline of the street to which the sign is oriented from the point in the streets' centerline closest to the leading edge of the sign. (The application of this provision is illustrated in Diagram 18)
4. *Outdoor advertising signs adjacent to protected districts.* No outdoor advertising sign shall be located within two-hundred and fifty (250) feet of any protected district fronting on the same street to which the sign is oriented measured along the centerline of the street to which the sign is oriented from the point in the streets' centerline that is closest to the leading edge of the sign. In no case, however, shall any outdoor advertising sign be located within one-hundred (100) feet of any protected district measured in any direction. For the purposes of this section, a protected district shall include any Dwelling District, Parks District, University Quarter District, SU-1 (Church) District or SU-2 (School) District. (The application of these provisions are illustrated in Diagram 20).
5. *Outdoor advertising signs inside I-465.* No outdoor advertising sign shall be erected or otherwise located within six hundred (600) feet of the right-of-way of a Freeway or Expressway, as herein defined, located within the entire area circumscribed by the interior right-of-way line of the Outer Belt Freeway commonly identified as I-465 so as to be oriented to traffic on said Freeway or Expressway. (The application of these provisions are illustrated in Diagram 21).
6. *Signs on freeways and expressways.* In addition to the requirements of this section, outdoor advertising signs shall further comply with Section 4.40 when located on freeways and expressways.
7. *Roof top outdoor advertising signs.* Roof top outdoor advertising signs shall not be permitted in any zoning district.
8. *Outdoor advertising sign setback.* Signs or sign structures shall be set back in accordance with the building setback lines required by the applicable zoning district.
9. *Maximum and minimum height of outdoor advertising signs and sign structures.*
 - a. The maximum height of signs and sign structures shall not exceed forty (40) feet above grade level at the base of such sign or sign structure, subject to the height exception of Section 2.50, Sign Height Exception.

- b. No outdoor advertising sign or sign structure (except for the supports, building, structure or column) shall be at its lowest point less than nine (9) feet above grade level. Ground signs, where permitted, shall not exceed four (4) feet in height above grade level.
10. *Construction of outdoor advertising signs.* The supports, uprights, bracing and framework of an outdoor advertising sign shall be of steel construction.
- B. *Additional regulations for outdoor advertising signs located in the d-a (dwelling-agriculture) district.* In addition to the regulations of Section 3.60, A, the following regulations shall pertain to outdoor advertising signs in the D-A (Dwelling- Agriculture) District.
1. *Proportional regulations.* Outdoor advertising signs are permitted on a lot provided that the size of an advertising sign shall not exceed: five percent (5%) of the ground floor area of the principle one story building located on the same lot; three percent (3%) of the floor area of the principle two story building located on the same lot; two and one-half percent (2.5%) of the floor area of the principle three or more story building located on the same lot; or, the size specified in Table 3.60 - A, whichever allows the greater size sign.
 2. *Number of sign structures permitted and standards.* One outdoor advertising sign structure shall be permitted on a lot having a minimum frontage of five hundred (500) feet; provided, however, that:
 - a. No dwelling unit other than the principal homestead is within one thousand (1,000) feet of the sign structure, and provided further, that if a dwelling structure is subsequently erected within one thousand (1,000) feet of said sign structure such sign structure shall be removed within thirty (30) days after the start of construction of the dwelling.
 - b. The full face of the sign can be viewed along the line of travel to which it is exposed for a distance of at least five hundred (500) feet along the centerline of the frontage street measured from a point opposite the center of the sign and perpendicular to the street's centerline; provided, however;
 - c. In the case of a sign parallel (or within twenty (20) degrees of parallel) to a one-way street, the required viewing distance shall be at least eight hundred (800) feet;
 - (1) In the case of a sign which is from three (3) to twenty (20) degrees of parallel to a two-way street, the required viewing distance shall be at least eight hundred (800) feet;
 - (2) In the case of a sign parallel (or within three (3) degrees of parallel) to a two-way street, the required viewing distance shall be at least five hundred (500) feet in each direction; (in the case of a sign so placed that it can be viewed from more than one street, the above viewing distance requirements shall be applicable to only one street).
 - d. If a sign is erected in conformance with this Article and subsequently the view of the full face of the sign at any point described in Section 3.60, B, 2, b. above is materially obstructed, said sign shall be removed in accordance with Section 2.40, F (An obstruction shall be deemed to be of material character when it renders the essential elements of the sign unreadable.)
- C. *Additional regulations for outdoor advertising signs located in commercial or industrial districts.* In addition to the regulations of Section 3.60, A., the following regulations shall pertain to outdoor advertising signs in Commercial or Industrial Districts.
1. *Proportional regulations.* Outdoor advertising signs are permitted on a lot having a frontage of less than four hundred (400) feet provided said lot complies with the minimum frontage requirements of that district. One additional advertising sign structure shall be permitted for each four hundred (400) feet of frontage in excess of four hundred (400) feet provided that there is compliance with all other applicable requirements contained herein. The size of an advertising sign shall not exceed: five percent (5%) of the ground floor area of the principle one story building located on the same lot; three percent (3%) of the floor area of the principle two story building located on the same lot; two and one-half percent (2.5%) of the floor area of the principle three or more story building located on the same lot; or, the size specified in Table 3.60 - A, whichever allows the greater size sign.

D. *Additional regulations for outdoor advertising signs located in the Central Business Districts - CBD-1, CBD-2, and CBD-3.* In addition to the regulations of Section 3.60, A, the following regulations shall pertain to outdoor advertising signs in the Central Business Districts (CBD-1, CBD-2, CBD-3).

1. *Permitted areas within districts.*

a. *CBD-1 District* permitted in Central Business District One (CBD-1) provided the lot on which said advertising sign is located abuts one of the following streets:

- (1) Washington Street, except between Illinois and Pennsylvania Streets.
- (2) Ohio Street, except between Illinois and Pennsylvania Streets.
- (3) Pennsylvania Street, except between Washington and Ohio Streets.
- (4) Illinois Street, except between Washington and Ohio Streets.
- (5) New York Street, except between Meridian and Pennsylvania Streets.
- (6) Delaware Street.
- (7) Maryland Street.
- (8) Capitol Avenue.
- (9) Indiana Avenue.
- (10) Massachusetts Avenue.
- (11) Kentucky Avenue.
- (12) Virginia Avenue.

b. *CBD-2 District* permitted in Central Business District Two (CBD-2).

c. *CBD-3 District* permitted in Central Business District Three (CBD-3), provided said advertising sign is not located within two hundred fifty (250) feet of the right-of-way of the following streets:

- (1) North Meridian Street.
- (2) North Pennsylvania Street.

2. *Proportional regulations.* Outdoor advertising signs are permitted on a lot provided that the size of an outdoor advertising sign shall not exceed: five percent (5%) of the ground floor area of the principle one story building located on the same lot; three percent (3%) of the floor area of the principle two story building located on the same lot; two and one-half percent (2.5%) of the floor area of the principle three or more story building located on the same lot; or, the size specified in Table 3.60-A, whichever allow the greater size sign.

3. *Outdoor advertising sign size.* The face of an outdoor advertising sign shall not be greater than fourteen (14) feet in vertical dimension nor greater than fifty (50) feet in horizontal dimension, except where specifically regulated by Section 4.40 and shall not contain more than two (2) advertising signs per facing (see exception noted in Section 3.60, D, 5).

4. *Number of sign structures permitted and standards.* One outdoor advertising sign structure may be erected on each street frontage on a lot. Provided, however, that:

a. The full face of the sign can be viewed along the line of travel to which it is exposed for a distance of at least two hundred fifty (250) feet along the centerline of the frontage street measured from a point opposite the center of the sign and perpendicular to the street's centerline. Provided, however:

- (1) In the case of a sign parallel (or within twenty (20) degrees of parallel) to a one-way street, the required viewing distance shall be at least four hundred (400) feet.
 - (2) In the case of a sign which is from three (3) to twenty (20) degrees of parallel to a two-way street, the required viewing distance shall be at least four hundred (400) feet.
 - (3) In the case of a sign parallel (or within three (3) degrees of parallel) to a two-way street, the required viewing distance shall be at least two hundred fifty (250) feet in each direction.
 - (4) In the case of a sign so placed that it can be viewed from more than one street, the above viewing distance requirements shall be applicable to only one street.
- b. If a sign is erected in conformance with this Article and subsequently the view of the full face of the sign at any point described in Section 3.60, D, 4, a. is materially obstructed, said sign shall be removed in accordance with Section 2.40, F (An obstruction shall be deemed to be of a material character when it renders the essential elements of the sign unreadable.)
5. *Increased dimension of sign face.* The vertical dimension of the sign face may be increased to eighteen (18) feet provided the required viewing distance in Section 3.60, D, 4 is increased to five hundred (500) feet and said facing contains only one sign, and the sign is perpendicular or within fifteen (15) degrees of being perpendicular to the frontage street.
 6. *Viewing distance for wall signs.* Outdoor advertising signs or sign structures attached to the wall of a building shall be regulated in accordance with Section 3.60, D, 3, 4, and 5 above, except that the required viewing distance shall be increased by a distance equal to the amount by which the height of said sign or sign structure exceeds forty (40) feet (measured from the grade level of the building to which the sign is attached to the highest part of said sign or sign structure).

CHAPTER 4.00 SPECIAL PROVISIONS

Section 4.10 Awning and canopy sign regulations.

A. Awnings and canopies on which signs are placed, both non-illuminated and illuminated, shall comply with the requirements of this Section (4.10) in addition to all other provisions of this Ordinance.

1. Awning or canopy signs shall be permitted as specified in the Permitted Sign Types Lists, Chapter 5.00, Tables A-D.
2. Illuminated awning or canopy signs shall be located at least six hundred (600) feet from a Protected District, as defined in Chapter 6.00. The method of measurement shall be taken from the leading edge of the sign to the zoning line of the Protected District (Refer to Diagram 7).

Exceptions: This provision shall not apply if it can be determined that:

- a. a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Protected District; or,
 - b. the illuminated awning or canopy is visibly obstructed from the Protected District.
3. The total area of an awning or canopy on which sign content or copy is placed shall not exceed the maximum surface area limits as set forth for wall signs as noted in Section 3.30, B, 1, a. of this Ordinance.
 4. The total sign content or copy area of awning or canopy signs shall not exceed forty-five percent (45%) of the area of the awning or canopy on which it is placed (Refer to Diagram 22).
 5. The computation of the sign copy area of the awning or canopy sign shall be limited only to the area of the awning or canopy which contains the graphics or sign (Refer to Diagram 22).
 6. Awnings and canopies on which signs have been placed shall further comply with the following:

a. Awnings:

- (1) When the width of all awnings along the direction of a particular building facade is ten (10) feet or less, the horizontal projection of such awnings shall not exceed six (6) feet from the facade of any supporting building (Refer to Diagram 22). The vertical distance from the top to the bottom of such awnings shall not exceed six (6) feet, including any valance (Refer to Diagram 22).
- (2) When the width of all awnings along the direction of a particular building facade exceeds ten (10) feet, the horizontal projection of such awnings shall not exceed four (4) feet from the facade of any supporting building (Refer to Diagram 22). The vertical distance from the top to the bottom of such awnings shall not exceed four (4) feet, including any valance (Refer to Diagram 22).
- (3) The horizontal projection of any awning may extend to a point not closer than two (2) feet from any street curb, pavement edge, or edge of an interior access drive.

b. Canopies:

- (1) The maximum width of any canopy shall be ten (10) feet (Refer to Diagram 23).
 - (2) The horizontal projection of any canopy may extend to a point not closer than two (2) feet from any street curb, pavement edge, or edge of an interior access drive (Refer to Diagram 23).
 - (3) The outer column support shall be located in the outer one third (1/3) of the walk area (Refer to Diagram 23).
 - (4) In no case shall the minimum distance between the entry and the column support be less than four (4) feet.
 - (5) The vertical distance from the top to the bottom of the canopy shall not exceed an average of four (4) feet, including any valance. The highest point of the canopy shall not be higher than four (4) feet above the door opening or sixteen (16) feet above grade, whichever is less (Refer to Diagram 23).
 - (6) Canopies shall not be spaced closer than twenty (20) feet from each other, measured from center line to center line (Refer to Diagram 23)
7. All portions of any awning or canopy, excluding the column supports for a canopy, shall be not less than nine (9) feet above the finished grade (Refer to Diagram 22 and 23).

Exception: An awning or canopy valance shall be not less than eight (8) feet above the finished grade

Section 4.20 Marquee sign regulations.

A. Marquees on which signs are placed, both non-illuminated and illuminated, shall comply with the following regulations.

1. Marquee signs shall be permitted as specified in the Permitted Sign Types Lists, Chapter 5.00, Tables A-D.
2. Illuminated marquee signs shall be located at least six hundred (600) feet from a Protected District, as defined in Chapter 6.00. The method of measurement shall be taken from the leading edge of the sign to the zoning line of the Protected District (Refer to Diagram 7).

Exceptions: This provision shall not apply if it can be determined that:

- a. a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Protected District; or,

- b. the illuminated awning or canopy is visibly obstructed from the Protected District.
- 3. The total combined area of signs on a marquee shall not exceed the square footage limits as set forth for wall signs.
- 4. The total sign area of marquee signs shall not exceed seventy-five percent (75%) of the area of the marquee on which it is placed.
- 5. The computation of the sign copy area of the marquee sign shall be limited to the area of the marquee which contains the graphics or sign.
- 6. Marquees on which signs have been placed shall further comply with the following:
 - a. When the width of a marquee along the direction of a particular building facade is ten (10) feet or less, the horizontal projection of such marquees shall not exceed six (6) feet from the facade of any supporting building (Refer to Diagram 24).
 - b. When the width of a marquee along the direction of a particular building facade exceeds ten (10) feet, the horizontal projection of such marquees shall not exceed four (4) feet from the facade of any supporting building (Refer to Diagram 24).
 - c. The vertical distance from the top to the bottom of such marquees shall not exceed six (6) feet, including any valance (Refer to Diagram 24).
 - d. The horizontal projection of any marquee may extend to a point not closer than two (2) feet from any street curb, pavement edge, or edge of an interior access drive (Refer to Diagram 24).

Section 4.30 Gasoline service station/convenience market signs.

The following additional standards shall apply to gasoline service stations and those convenience markets selling gasoline.

A. *Identification signs.* Identification Signs shall comply with the following standards:

- 1. Pole or pylon sign. One (1) pole or pylon sign, which may contain pricing information, shall be permitted per street frontage. The maximum height and area of such signs is regulated by Section 3.30, Table 3.00-A and B. However, no pole or pylon sign shall be permitted where a ground sign exists on a particular frontage.
- 2. Ground sign. One (1) ground sign, not to exceed twenty (20) square feet per each street frontage, shall be permitted in the required landscape area of the property. The ground sign shall be permitted to indicate the services, prices, products, and the announcement of incentives. Such signs are to be installed as stationary, fixed structures, not subject to being dislodged by high winds, and not as portable or temporary structures. However, no ground sign shall be permitted where a pole or pylon sign exists on a particular frontage. Ground identification signs shall not be prohibited from containing pricing information.
- 3. Wall signs. Wall signs shall be permitted on a lot as specified in Chapter 3.00, Section 3.30, B.
- 4. Service area canopy signs. Signs shall not exceed twenty-five (25) percent of the particular facade area of the canopy on which it is located. This calculation shall not include the open area beneath the face of the service area canopy. (Refer to Diagram 25).
- 5. Pump island signs. Signs on pump islands shall not to exceed sixteen (16) square feet. Four-sided pump island signs shall be permitted only if two sides, or more, contain government/federal warning signs (or are left blank). The calculation of the sign area for pump island signs shall be the calculation of the area of a single face of the sign. Any sign required by law on pump islands shall not be calculated in computing the pump island sign area (Refer to Diagram 25).

Pump island signs shall be permitted only if spandrel signs are not used on site.

- 6. Window signs. Signs shall be permitted provided they do not exceed twenty-five (25) percent of the window area.

7. Spandrel signs. Signs shall be permitted on spandrels if there are no pump island signs on site. The spandrel sign area shall not exceed twenty-five percent of the spandrel's structural area (Refer to Diagram 25).
- B. *Incidental signs.* Each incidental sign is to be located at the point to which the sign is directed. Only one sign for each subject shall be permitted (See Section 3.30, C for additional provisions).
- C. *Other signs:*
1. No pennants or other similar attracting or advertising devices shall be permitted except: as noted in chapter 2.00, Section 2.10, R.
 2. Operator identification sign. One (1) operator identification sign shall be permitted. Such sign shall be located on the building only with a maximum dimension of six (6) square feet.
 3. Signs on fences. Where a fence is required to be installed to screen the use from a Protected District, no signs shall be permitted to be attached to or form an integral part of such fence.
 4. Perimeter pole signs. Signs placed on perimeter light poles or other structures or that are not expressly permitted in this section shall be strictly prohibited.

Section 4.40 Signs on freeways and expressways.

All signs within six hundred and sixty (660) feet of the right-of-way of freeways and expressways, as shown on the Official Thoroughfare Plan for Marion County, as adopted by the Metropolitan Development Commission, shall comply with the requirements of this section (4.40) in addition to all other provisions of this Ordinance.

- A. *Permitted signs.* Unless prohibited by Local, State or Federal Law, erection or maintenance of the following signs shall be permitted in protected areas, as defined in Chapter 6:
1. Official signs. Directional or other official signs or notices erected and maintained by public officers or agencies pursuant to and in accordance with direction or authorization contained in Local, State, or Federal law, for the purpose of carrying out an official duty or responsibility.
 2. On-premise (business) signs. However, not more than one freestanding identification sign shall be permitted to be located on each premises.
 3. Off-premise (advertising) signs.
- B. *General provisions.* No off-premise signs shall be permitted to be erected or maintained in any manner inconsistent with the following:
1. Flashing, intermittent or moving lights. No sign shall be permitted which contains, includes, or is illuminated by a flashing, intermittent or moving light or lights.
 2. Animation. No sign shall be permitted which moves or has any animated or moving parts.
 3. Measurement of distance.
 - a. The distance from the edge of a right-of-way shall be measured horizontally along a line normal or perpendicular to the centerline of the freeway or expressway.
 - b. All dimensions parallel to the alignment of the freeway or expressway shall be measured along the centerline of the freeway or expressway between two vertical planes which are normal or perpendicular to and intersect the centerline of the freeway or expressway, and which pass through the termini of the measured distance.
- C. *Regulations for off-premise (advertising) signs.*
1. Off-premise signs within informational sites. If the Indiana Department of Transportation (IDOT) constructs an Informational Site (as defined in Chapter 6.00), on the Freeway System in Marion

County, control over off-premise signs within such site shall be the responsibility of that Department.

2. Off-premise signs outside of informational sites.

- a. The erection or maintenance of the following signs shall be permitted within protected areas outside of informational sites: Off-premise signs which are oriented to a freeway or expressway, as herein defined.
- b. The erection or maintenance of off-premise signs permitted under paragraph a. of this subsection shall not be permitted in any manner inconsistent with the following:

- (1) Sign Number: In protected areas in advance of an intersection of the main-travelled way of a Freeway or Expressway and an exit roadway, such signs visible to traffic on the main-travelled way approaching such intersection shall not be permitted to exceed:

<u>Distance from Intersection</u>	<u>Maximum Number</u>
0 - 1,500 feet	0
over 1,500 feet	2 per mile

The specified distances shall be measured to the nearest point of the intersection of the travelled way of the exit roadway and the main-travelled way of the Freeway or Expressway (Refer to Diagram 26).

- (2) Sign Spacing: Subject to the other provisions of this subsection (4.40, C), not more than two such signs shall be permitted within any one-mile distance measured from any point, and no such signs shall be permitted to be less than 1,000 feet apart.
- (3) Maximum Sign Dimensions: The maximum size of any sign shall not exceed twelve (12) feet in vertical dimension and twenty-five (25) feet in horizontal dimension.
- (4) Sign Setback: Signs shall not be located closer than sixty (60) feet to the right-of-way of the freeway or expressway.
- (5) Sign Clearance: Signs shall not be less than nine (9) feet above grade level at the lowest point, except for the supporting structure.
- (6) Maximum Sign Height: The maximum height of signs and sign structures shall not exceed forty (40) feet above grade level at the base of such sign structure.
- (7) Entrance or Exit Roadway Limitation: Signs shall not be permitted in protected areas adjacent to any freeway or expressway right-of-way upon any part of the width of which is constructed an entrance or exit roadway.
- (8) Entrance Roadway Limitation: Signs visible to freeway or expressway traffic which is approaching or has passed an entrance roadway shall not be permitted in protected areas for 1,000 feet beyond the furthest point of the intersection between the traveled way of such entrance roadway and the main-travelled way of the freeway or expressway (Refer to Diagram 27).

Section 4.50 Rotating signs.

Rotating signs, as defined in Chapter 6.00, shall comply with the requirements of this Section (4.50) in addition to all other provisions of this Ordinance.

- A. *Districts permitted.* Rotating signs shall be permitted as a freestanding identification pole or pylon sign in the C-4, C-5, C-6, C-7, C-ID and C-S Commercial Districts, as well as any Industrial District.
- B. *Additional development standards for rotating signs in permitted commercial and industrial districts.*

1. A rotating sign shall be permitted on corner lots only and shall be the only freestanding identification sign permitted on the lot.
2. A rotating sign shall be located at least six hundred (600) feet from a Protected District, as defined in Chapter 6.00. This method of measurement shall be taken from the leading edge of the sign to the zoning line of the Protected District (Refer to Diagram 7).

Exceptions: This provision shall not apply if it can be determined that:

- a. a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Protected District; or,
 - b. the rotating sign is visibly obstructed from the Protected District.
3. A rotating sign shall not rotate at a rate of more than six (6) revolutions per minute.

Section 4.60 Electronic variable message signs (EVMS).

Electronic Variable Message Signs (EVMS), as defined in Chapter 6, shall comply with the requirements of this Section (4.60) in addition to all other provisions of this Ordinance.

A. *Districts permitted.* Electronic Variable Message Signs shall be permitted as a component of a sign in the C-4, C-5, C-6, C-7, C-ID and C-S Commercial Districts, as well as in any Industrial District.

B. *Additional development standards for EVMS in permitted commercial and industrial districts.*

1. Where permitted. EVMS shall be permitted as a component of a sign for any freestanding use or integrated center.
2. Permitted sign types. EVMS shall be permitted as a component of any pole, ground or pylon sign for freestanding uses or integrated centers. In addition, freestanding uses shall also be permitted EVMS as a component of wall signs.
3. Amount of a sign that can contain an EVMS. The portion of a sign dedicated for an EVMS shall not exceed forty percent (40%) of the sign size.
4. Distance separation from a protected district. No sign containing an EVMS as a component shall be located within six hundred (600) feet of any Protected District, measured from the leading edge of the sign to the zoning line of the Protected District (Refer to Diagram 7).

Exceptions: This provision shall not apply if it can be determined that:

- a. a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Protected District; or,
 - b. the EVMS is visibly obstructed from the Protected District.
5. Distance separation from a signalized intersection of a street designated as a thoroughfare in the thoroughfare plan for Marion County. No sign containing an EVMS as a component shall be located within one hundred twenty-five (125) feet of any signalized intersection of two (2) or more streets if any of these streets is designated as a thoroughfare in the Thoroughfare Plan for Marion County, Indiana. The distance shall be measured from the point where the existing right-of-way lines of the intersecting streets meet. In a case where a round or cut property corner exists, this measurement shall be taken from the point of the intersection of the existing rights-of-way lines, as extended. The distance shall be measured along the right-of-way line from the point of intersection (Refer to Diagram 29).

Section 4.70 Time and temperature displays.

Time and Temperature Displays, as defined in Chapter 6, shall comply with the requirements of this Section (4.70) in addition to all other provisions of this ordinance.

- A. *Districts permitted.* Time and temperature displays shall be permitted in any Commercial, Industrial, Central Business, and Hospital Districts.
- B. *Where permitted.* Time and Temperature Displays shall be permitted as either a component of a sign or as an independent sign for any freestanding use or integrated center.
- C. *Permitted sign types.* A Time and Temperature display shall be permitted as a pole, pylon, ground, wall, projecting, roof-integral or window sign. If a time or temperature display is utilized as an independent sign (not a component of an identification sign), then such sign shall be regulated based upon its sign type relative to number, area, height, setback, clearance and projection permitted for identification signs.

The area of a time and temperature display, if utilized as a component of an identification sign, shall count in the maximum sign area for that identification sign.

CHAPTER 6.00 CONSTRUCTION OF LANGUAGE AND DEFINITIONS

- A. *Construction of language.* The language of this ordinance shall be interpreted in accordance with the following regulations:
 - 1. The particular shall control the general.
 - 2. In the case of any difference of meaning or implication between the text of this ordinance and any illustration or diagram, the text shall control.
 - 3. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
 - 4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
 - 5. A "building" or "structure" includes any part thereof.
 - 6. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", or "occupied for".
 - 7. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and", "or", or "either...or", the conjunction shall be interpreted as follows:
 - a. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
 - b. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 - c. "Either...or" indicates that all the connected items, conditions, provisions, or events shall apply singly but not in combination.
- B. *Definitions.* The words in the text or illustrations of this ordinance shall be interpreted in accordance with the definitions set forth below. The illustrations and diagrams in this section provide graphic representation of the concept of a definition; the illustration or diagram is not to be construed or interpreted as a definition itself.
 - 1. *A-sign.* A portable sign containing two sign faces and whose framing is hinged at the apex at an angle less than forty-five (45) degrees (Refer to Diagram 30).
 - 2. *Abandoned sign.* Any sign or its supporting sign structure which remains without a message or whose display surface remains blank for a period of:

- a. one (1) year or more (for a sign or its supporting sign structure which conforms to this ordinance at the time of adoption); or
 - b. sixty (60) days (for a sign or its supporting sign structure which does not conform to the provisions of this ordinance at the time of adoption); or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned.
3. *Administrator.* Administrator of the Neighborhood and Development Services Division, or such Division having jurisdiction, or their appointed representative.
 4. *Advertising sign.* Any off-premise sign which directs attention to any business, profession, product, activity, commodity, or service, that is offered, sold, or manufactured on property or premises other than that upon which the sign is located. Also known as an outdoor advertising sign.
 5. *Alley.* Any public right-of-way which has been dedicated or deeded to and accepted by the public for public use as a secondary means of public access to a lot otherwise abutting upon a public street and not intended for traffic other than public services and circulation to and from said lot.
 6. *Animated sign.* Any sign which includes movement or change of lighting to depict action or create motion, a special effect or a scene. For purposes of this ordinance, any changeable copy sign on which the message changes more than eight (8) times per day shall be considered an animated sign.
 7. *Awning.* A roof-like cover, often of fabric, metal, plastic, fiberglass or glass designed and intended for protection from the weather or as a decorative embellishment, and which is supported by and projects from a wall or roof of a structure over a window, walk, door, or the like.
 8. *Awning sign.* A building sign or graphic printed on or in some fashion attached directly to the awning material.
 9. *Balloon sign.* A temporary sign consisting of a bag made of light weight material which is filled with a gas lighter than air and designed to rise or float in the atmosphere (Refer to Diagram 30.)
 10. *Banner.* Any temporary sign of lightweight fabric or similar material mounted to a pole or a building at one or more edges by a permanent frame. Flags of any government or political subdivision shall not be considered banners (Refer to Diagram 30)
 11. *Beacon.* Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source. Also, any light with one (1) or more beams that rotate or move.
 12. *Building.* Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property of any kind, having a permanent roof supported by columns or walls.
 13. *Building marker.* Any building identification sign indicating the name of a building, the date of erection and incidental information about its construction and which is cut into a masonry surface or made of bronze or other permanent material.
 14. *Building identification sign.* Any identification sign attached to any part of a building.
 15. *Business sign.* See Identification Sign.
 16. *Canopy.* A roof-like cover, often of fabric, metal, plastic, fiberglass, or glass on a support, which is supported in total or in part, from the ground providing shelter over, for example, a doorway, outside walk or parking area.
 17. *Canopy sign.* Any sign that is part of or attached to a canopy, made of fabric, plastic, or structural protective cover over a door, entrance, or window. A canopy sign is not a marquee and is different from service area canopy signs.
 18. *Centerline of the highway.* A line equidistant from the edges of the existing right-of-way separating the main-traveled ways of a divided Interstate highway, freeway, expressway, or the centerline of the main-traveled way of a non-divided Interstate highway, freeway or expressway.

19. *Changeable copy sign.* A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged non-electrically or non-electronically without altering the face or the surface of the sign.

The message copy of a changeable copy sign can be changed manually in the field, through the use of changeable letters, numbers, symbols and similar characters, changeable pictorial panels or through the use of rotating panels and other similar devices which are not controlled through remote electronic or electric techniques.

A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance.

20. *Clearance.* The distance measured from the bottom of a sign face which is elevated above grade and the grade below (Refer to Diagram 33).
21. *Collector street.* See Street, Collector.
22. *Commercial message.* Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.
23. *Construction sign.* Any temporary sign which identifies and announces the construction activity on the property by the owner or construction company.
24. *Convenience market.* A retail establishment selling a limited number of food items, such as sandwiches, snacks, staple groceries, lottery tickets, household items, and food items prepared on the premises, including reheating, which can be immediately consumed. Such establishments may also provide a facility where gasoline and other motor fuels are stored and subsequently dispensed by use of fixed, approved dispensing equipment by customers of the establishment on a self-service basis.
25. *Corner lot.* See Lot, Corner.
26. *Directional sign.* Any incidental sign which serves solely to designate the location or direction of any place or area and, as such, shall be located on the same lot as said place or area.
27. *Directory signs.* Any incidental sign which identifies the businesses in an Integrated Center, in whole or in part, usually with a listing or a graphic representation of some or all of the tenants in the Center, and is located in the interior of said Center.
28. *Double-faced sign.* A sign consisting of two parallel faces supported by a single structure.
29. *Driveway.* Access for vehicular movement to egress/ingress between the right-of-way of private or public streets and the required building setback line (Refer to Diagram 34).
30. *Electronic variable message sign (EVMS).* A sign, or component of a sign, such as an electrically or electronically controlled message center, where the characters, letters, or illustrations can be changed or rearranged either in the field, or from a remote location, without physically altering the face or the surface of the sign.
31. *Entrance roadway.* Any public street or turning roadway, including acceleration lanes, by which traffic may enter the main-traveled way of an Interstate highway, freeway or expressway from the general street system within Marion County, irrespective of whether traffic may also leave the main-traveled way by such street or turning roadway.
32. *Erect.* Activity of constructing, building, raising, assembling, placing, affixing, attaching, creating, or any other way of bringing into being or establishing.
33. *Exit roadway.* Any public street or turning roadway, including deceleration lanes, by which traffic may leave the main-traveled way of an Interstate highway, freeway or expressway to reach the general street system within Marion County, irrespective of whether traffic may also enter the main-traveled way by such street or turning roadway.

34. *Extension.* Any vertical or horizontal embellishments to an advertising sign designed as a part of, and integrally incorporated into, the announcement, declaration, device, demonstration or insignia used as a part of such sign. (Refer to Diagram 35).
35. *Flag.* Any fabric or similar lightweight material attached at one end of the material, usually to a staff or pole, so as to allow movement of the material by atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices used to represent a government or political subdivision.
36. *Flashing sign.* A directly or indirectly illuminated sign which exhibits changing light, color or effect by any means, so as to provide intermittent illumination, or which includes the illusion of intermittent or flashing light by means of animation.
37. *Freestanding sign.* Any sign which has supporting framework that is placed on, or anchored in, the ground and which is independent from any building or other structure.
38. *Freeway.* See Street, Freeway.
39. *Frontage.* The line of contact of a property with the street right-of-way along a lot line. In the case of a corner lot having a rounded or cut property corner, from the intersection of the street right-of-way lines, as extended.
40. *Garage sale sign.* Any temporary sign which identifies and announces a garage, yard or similar sale.
41. *Gasoline service station.* Any building, land area or other premises or portion thereof, use or intended to be used for the retail dispensing or sales of vehicular fuels; which may include as an accessory use minor automotive repairs; the sale and installation of lubricants, tires, batteries; car washes; and similar accessory uses. Such establishments shall provide a facility where gasoline and other motor fuels are stored and subsequently dispensed by use of fixed, approved dispensing equipment by customers or employees.
42. *Governmental sign.* Signs designed for control of, or to provide information to, traffic and other regulatory functions and signs of public service companies indicating danger and aids for service or safety which are erected by the order of a public officer in the performance of his/her public duty. (See also Public Signs.)
43. *Grade.* Grade shall be construed to be the lower of (1) existing grade prior to construction or (2) existing grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign (Refer to Diagram 4).
44. *Grade level use.* Each use or occupant of what is typically known as the street, ground or first floor of a building.
45. *Ground sign.* Any freestanding sign constructed in or on the ground surface with its sign face extending downward to or near the ground surface and which is supported on a frame by one (1) or more uprights or braces. (Refer to Diagram 31).
46. *Height, sign.* The height of the sign shall be computed as the vertical distance measured from the base of the sign at grade to the top of the highest attached component of the sign.
47. *Home improvement sign.* Any temporary sign which identifies and announces the construction company responsible for the home improvement of the property.
48. *House number and name plates.* Any sign which designates the name or the street address, using numbers or plates, of the person(s) occupying the premises.
49. *Identification sign.* Any sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or institution, or the occupancy of the person.

50. *Illuminated sign.* Any sign which contains an auxiliary design element designed to emanate artificial light internally or externally from the sign, including signs illuminated from the exterior by spotlights or other lighting apparatus directed upon the sign structure either from the ground or from a lighting fixture attached to the exterior of the sign structure.
51. *Incidental sign.* A sign, generally informational, that has a purpose secondary to the use of the lot on which is located, such as "no parking", "entrance", "loading only", "telephone" and other similar directives. No sign with a commercial message legible from any position of the lot on which the sign is located shall be considered incidental.
52. *Information site.* An area or site established and maintained within or adjacent to the right-of-way of a highway on the Interstate System by or under the supervision or control of a State Highway Department, wherein panels for the display of advertising and information signs may be erected and maintained.
53. *Interior sign.* Any sign not visible from the exterior of the building or structure and located within the interior of any building or structure, or within an enclosed lobby or court of any building.
54. *Integrated center.* An area of development (commercial, industrial, or any combination of commercial, industrial and residential uses) of one (1) or more lots, comprised of:
- a. Two (2) or more individual, unrelated and separately operated uses in one building sharing common site facilities; or,
 - b. One (1) or more buildings containing unrelated and separately operated uses occupying a common site, which utilize one or a combination of common site facilities, such as driveway entrances, parking areas, driving lanes, signs, maintenance and similar common services; or,
 - c. One (1) or more buildings containing unrelated and separately operated uses occupying individual sites, which are interrelated by the utilization of one or a combination of common facilities, such as driveway entrances, public or private street network, parking areas, maintenance and other services.
55. *Interstate highway.* See Street, Freeway.
56. *Legally established nonconforming sign.* Any sign and its support structure lawfully erected prior to the effective date of the adoption of this ordinance which fails to conform to the requirements of this ordinance. A sign which was erected in accordance with a variance granted prior to the adoption of this ordinance and which does not comply with this ordinance shall be deemed to be a legal nonconforming sign. A sign which was unlawfully erected shall be deemed to be an illegal sign.
57. *Legible.* Capable of being read with certainty without visual aid by a person of normal visual acuity.
58. *Logo.* See Trade Name.
59. *Lot.* A tract of land designated by its owner(s) to be used or developed as a unit under single ownership or control.
- A lot may or may not coincide with a lot of record and may consist of:
- a. A single lot of record;
 - b. A portion of a lot of record; or
 - c. A combination of complete lots of record, or complete lots of record and portions of lots of record, or of portions of lots of record.
- For purpose of this definition, ownership includes:
- a. The person(s) who holds either fee simple title to the property or is a life tenant as disclosed in the records of the township assessor;

- b. A contract vendee;
 - c. A long-term lessee (but only if the lease has been recorded at the Office of the County Recorder and has at least twenty-five (25) years remaining before its expiration at the time of applying for a permit) (Refer to Diagram 36).
- 60. *Lot area.* The area of a horizontal plane bounded on all sides by the front, rear, and side lot lines that is available for use or development and does not include any area lying within the right-of-way of any public or private street, alley or easement for surface access (ingress or egress) into the subject lot or adjoining lots.
 - 61. *Lot, corner.* A lot abutting upon two (2) or more streets at their intersections, or upon two parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees (Refer to Diagram 36).
 - 62. *Lot, through.* A lot abutting two parallel streets, or abutting two streets which do not intersect at the boundaries of the lot.
 - 63. *Lot line.* The legal boundary of a lot as recorded in the office of the Marion County Recorder.
 - 64. *Lot line, front.* The lot line(s) coinciding with the street rights-of-way in the case of a corner lot, both lot lines coinciding with the street rights-of-way shall be considered front lot lines; or, in the case of a through lot, the lot line which most closely parallels the primary entrance of the primary structure shall be considered the front lot line, or so declared by the Administrator.
 - 65. *Lot line, rear.* A lot line which is opposite and most distant from the front lot line, or in the case of triangularly shaped lot, a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line. However, in the case of a corner lot line, any lot line which intersects with a front lot line shall not be considered a rear lot line.
 - 66. *Lot line, side.* Any lot line not designated as a front or rear lot line.
 - 67. *Lot of record.* A lot which is part of a subdivision or a lot or a parcel described by metes and bounds, the description of which has been so recorded in the office of the Recorder of Marion County, Indiana.
 - 68. *Maintain.* To repair, service or refurbish a sign or structure or any part thereof, in an identical manner or change any identical component of the sign.
 - 69. *Main-traveled way.* The traveled way of a highway on which through traffic is carried. In the case of a divided highway, the traveled way of each of the separated roadways for traffic in opposite directions is a main-traveled way. The term "main-traveled way" does not include such facilities as frontage roads, turning roadways or parking areas.
 - 70. *Marginal access street.* See Street, Marginal Access.
 - 71. *Marquee.* Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of a building, generally designed and constructed to provide protection from the weather.
 - 72. *Marquee sign.* Any building sign painted, mounted, constructed or attached in any manner on a marquee (Refer to Diagram 24).
 - 73. *Message center.* A sign, component of a sign, which contains a changing message within the copy area which turns on and off or changes electrically or electronically for a specific period of time.
 - 74. *Model home sign.* Any temporary sign which identifies and announces a model home.
 - 75. *Mural.* A design or representation painted, drawn or similarly applied on the exterior surface of a structure and which does not advertise a business, product, service or activity.

76. *Off-premise sign.* A sign which directs attention to a business, profession, commodity, or service offered on the property other than that on which the sign is located.
77. *On-premise sign.* A sign which directs attention to a business, profession, commodity, or service offered on the property on which the sign is located.
78. *Outdoor advertising sign.* Same as Advertising Sign.
79. *Owner.* Legal owner of property as officially recorded in the office of the Marion County Recorder.
80. *Parapet(wall).* That portion of a building wall that rises above the roof level.
81. *Pennant.* Any sign of lightweight plastic, fabric, or other similar material, whether or not containing a message of any kind, which is suspended from a rope, wire, or string, usually in a series, and which is designed to move in the wind. Flags of any government or political subdivision shall not be considered pennants (Refer to Diagram 30).
82. *Permanent sign.* A non-temporary sign designed and intended for long-term use.
83. *Plaque, historic.* See Building Marker.
84. *Pole sign.* Any freestanding sign which has its supportive structure(s) anchored in the ground and which has a sign face elevated above ground level (Refer to Diagram 31).
85. *Political sign.* Any temporary sign designed to announce or identify a person, party, issue of an election or any other subject usually associated with a political election.
86. *Portable sign.* Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported from place to place, including, but not limited to, signs transported by means of wheels; signs attached to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operation of the business.
87. *Principal building.* The building in which is conducted the principal primary use of the lot. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other uses clearly accessory to the primary use shall not be considered principal buildings.
88. *Projecting sign.* Any sign which is affixed to a building or wall in such a manner that its leading edge extends more than eighteen (18) inches beyond the surface of such building or wall face (Refer to Diagram 31).
89. *Project sign (residential).* A type of identification sign designed to identify a residential development permitted in the D-6, D-6II, D-7, D-8, D-9, D-10, D-11 or D-P Dwelling Districts.
90. *Protected areas.* All areas inside the boundaries of Marion County which are adjacent to and within six hundred and sixty (660) feet of the edge of the right-of-way of all highways within the county. When a highway terminates at a county boundary which is not perpendicular or normal to the centerline of the highway, the term "protected areas" also refers to all areas inside the boundary of such county which are within six hundred and sixty (660) feet of the edge of the right-of-way of the highway in the adjoining county.
91. *Protected district.* Specific classes of zoning districts which, because of their low intensity or the sensitive land uses permitted by them, require additional buffering and separation when abutted by certain more intense classifications of land use. A protected district shall include any Dwelling District, Hospital District, Park District, University Quarter District, SU-1 (Church) District or SU-2 (School) District.
92. *Public notice.* Official notice posted by public officers or their representative in the performance of their duties.
93. *Public signs.* Any sign required or specifically authorized for a public purpose by any law, statute or ordinance which may be of any type, number, area, height above grade, location, illumination

or animation, required by the law, statute or ordinance under which the signs are erected. (See also Governmental Sign.)

94. *Public way.* Any public street, alley, sidewalk or other public thoroughfare.
95. *Pump island sign.* Any sign either affixed directly to a gasoline pump or otherwise attached to the pump or pump island. (Refer to Diagram 25).
96. *Pylon sign.* Any freestanding sign anchored in the ground with its sign face extending upward from the ground surface and which has a height exceeding four (4) feet (Refer to Diagram 31).
97. *Real estate sign.* Any temporary sign which announces the sale, rental, or lease of property by the owner or real estate company.
98. *Residential sign.* Any sign located in a district zoned for residential uses that contains no commercial messages except advertising for goods or services legally offered on the premises where the sign is located, if offering such service at such location conforms with all requirements of the zoning ordinance.
99. *Right-of-way.* Specific and particularly described land, property, or interest therein devoted to and subject to the lawful use, typically as a thoroughfare of passage for pedestrians, vehicles, or utilities as officially recorded by the office of the Marion County Recorder.
100. *Right-of-way, proposed.* Specific and particularly described land, property, or interest therein devoted to and subject to the lawful public use, typically as a thoroughfare of passage for pedestrians, vehicles, or utilities, as officially described in the Marion County Thoroughfare Plan as adopted and amended by the Metropolitan Development Commission.
101. *Right-of-way, public.* Specific and particularly described strip of land, property, or interest therein dedicated to and accepted by the municipality to be devoted to and subject to use by the general public for general transportation purposes or conveyance of utilities whether or not in actual fact improved or actually used for such purposes, as officially recorded by the office of the Marion County Recorder.
102. *Right-of-way, private.* Specific and particularly described strip of privately-held land, property, or interest therein devoted to and subject to use for general transportation purposes or conveyance of utilities whether or not in actual fact improved or actually used for such purposes, as officially recorded by the office of the Marion County Recorder.
103. *Roof.* The water-carrying surface of a building or structure, the structural make-up of which conforms to the roof structures, roof construction and roof covering sections of the Uniform Building Code.
104. *Roof integral sign.* Any building sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, so that no part of the sign extends vertically above the roof (Refer to Diagrams 10 and 31).
105. *Roof line.* The uppermost edge of the water-carrying surface of a building or structure.
106. *Roof sign.* Any building sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the roof (Refer to Diagram 31).
107. *Rotating sign.* Any sign or portion of a sign designed to revolve or move in a similar manner by means of electrical power.
108. *Scenic area.* An area of particular scenic interest or historical significance which is designated by or pursuant to local or state law as a scenic area.
109. *Seasonal or holiday sign.* Any temporary sign, such as Christmas decorations, used for an historic holiday and installed for a short, limited period of time.

110. *Service area canopy.* Any structural protective cover that is not enclosed on any of its four sides and is provided for the service area designated for the dispensing or installation of gasoline, oil, antifreeze, headlights, wiper blades and other similar products and the performance of minor services for customers as related to said dispensing or installation.
111. *Service area canopy sign.* Any sign that is part of or attached to the service area canopy.
112. *Service station, gasoline.* See Gasoline Service Station.
113. *Setback.* The minimum horizontal distance established by ordinance between a street right-of-way line or a lot line and the setback line (Refer to Diagram 37).
114. *Setback line.* A line that establishes the minimum distance that a building, structure, sign, or portion thereof, can be located from a lot line or proposed right-of-way line. (Refer to Diagram 37).
115. *Sign.* Any structure, fixture, placard, announcement, declaration, device, demonstration or insignia used for direction, information, identification or to advertise or promote any business, product, goods, activity, services or any interests.
116. *Sign area.* The area of a sign face (which is also the sign area of a wall sign or other sign with only one face). Sign area shall be computed by using the smallest square, rectangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself. (Refer to Diagrams 1 and 2).
117. *Sign encroachment.* The placement of any sign or sign support structure or the extension of any part of a sign or sign structure into a required yard, street right-of-way or alley right-of-way.
118. *Sign face.* The surface of the sign upon, against, or through which the message of the sign is exhibited.
119. *Sign structure.* Any structure including the supports, uprights, bracing and framework which supports or is capable of supporting any sign.
120. *Sign type.* A functional description of the use of an individual sign. Includes but is not limited to identification, incidental, residential and advertising.
121. *Spandrel.* A roof-like structure that covers the gasoline pump dispenser, serves as a second-tier canopy, is a lighting source for the dispensing area, serves to identify the gasoline pumps by numerical designation, and may display signage.
122. *Spandrel sign.* Any sign that is a part of or attached to the spandrel structure.
123. *Street collector.* A street primarily designed and intended to carry vehicular traffic movement at moderate speeds (e.g. 35 mph) between local streets and arterials with direct access to abutting property(ies).
124. *Street, cul-de-sac.* A street having only one open end which is permanently terminated by a vehicle turnaround.
125. *Street, expressway.* A street so designated by the Official Thoroughfare Plan for Marion County, as amended.
126. *Street facade.* Any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public or private street. Separate faces oriented in the same direction or within 45 degrees of one another are considered part of the same street facade.
127. *Street, freeway.* A street so designated by the Official Thoroughfare Plan for Marion County, as amended.

128. *Street, local.* A street primarily designed and intended to carry low volumes of vehicular traffic movement at low speeds (e.g. 20 to 30 mph) within the immediate geographic area with direct access to abutting property(ies).
129. *Street, marginal access.* A local street with control of access auxiliary to and located on the side of an arterial, thoroughfare, expressway, or freeway for service to abutting property(ies).
130. *Street, parkway.* A street serving through vehicular traffic and equal to or more than 5280 feet in length, the adjoining land on one or both sides of which is predominantly dedicated or used for park purposes, and shall conform to the Comprehensive Plan and Thoroughfare Plan.
131. *Street, primary arterial.* A street so designated by the Official Thoroughfare Plan for Marion County, as amended.
132. *Street, private.* A privately-held right-of-way, with the exception of alleys, essentially open to the sky and open for the purposes of vehicular and pedestrian travel affording access to abutting property, whether referred to as a street, road, expressway, arterial, thoroughfare, highway, or any other term commonly applied to a right-of-way for said purposes. A private street may be comprised of pavement, shoulders, curbs, sidewalks, parking space, and the like.
133. *Street, public.* A publicly dedicated, accepted and maintained right-of way, with the exception of alleys, essentially open to the sky and open to the general public for the purposes of vehicular and pedestrian travel affording access to abutting property, whether referred to as a street, road, expressway, arterial, thoroughfare, highway, or any other term commonly applied to a public right-of-way for said purposes. A public street may be comprised of pavement, shoulders, gutters, curbs, sidewalks, parking space, and the like.
134. *Street, secondary arterial.* A street so designated by the Official Thoroughfare Plan for Marion County, as amended.
135. *Structure.* A combination or manipulation of materials to form a construction, erection, alteration or affixation for use, occupancy, or ornamentation, whether located or installed on, above, or below the surface of land or water.
136. *Subdivision.* The division of any parcel of land shown as a unit, as part of a unit or as contiguous units, on the last preceding transfer of ownership thereof, into two (2) or more parcels or lots, for the purpose, whether immediate or future, or transfer of ownership or building development.
137. *Subdivision sign.* A type of identification sign designed to identify a residential subdivision.
138. *Suspended sign.* Any building sign that is suspended from the underside of a horizontal plane surface and is connected to this surface (Refer to Diagrams 13 and 32).
139. *Symbols or insignias.* Religious symbols, commemorative plaques of recognized historical agencies, or identification emblems or religious orders or historical agencies.
140. *T-sign.* A portable sign utilizing an inverted "T" style of framing structure to support the sign. (Refer to Diagram 30).
141. *Temporary sign.* Any sign or sign structure which is not permanently affixed or installed, and is intended to be displayed for a limited period only. Examples of such signs include, but are not limited to the following: real estate, construction, special event, political, garage sale, home improvement/remodeling, model home and seasonal (holiday) signs.
142. *Thoroughfare.* A street primarily serving through vehicular traffic, including freeways, expressways, primary arterials, and secondary arterials.
143. *Thoroughfare plan.* The segment of the Comprehensive Plan for Marion County, Indiana, adopted by the Metropolitan Development Commission of Marion County, Indiana, pursuant to IC-36-7-4, that sets forth the location, alignment, dimensions, identification and classification of freeways, expressways, parkways, primary arterials, secondary arterials, or other public ways as a plan for the development, redevelopment, improvement, and extension and revision thereof.

144. *Time and temperature displays.* A limited function display which, through analogical or digital methods, electronically presents the time of day or the current temperature or one (1) other piece of information such as the Dow Jones average (either accrued total or change) in a non-traveling mode of operation. Displays which, through their configuration, are capable of presenting other electronic messages shall be considered Electronic Variable Message Signs.
145. *Tombstone.* Any cemetery marker or grave indicator.
146. *Trade name.* Any brand name, trademark, logo, distinctive symbol, or other similar device or thing used to identify particular business, institution, activity, place, person, product or service.
147. *Traveled way.* The portion of a roadway for the movement of vehicles, exclusive of shoulders.
148. *Turning.* A connecting roadway for traffic turning between two intersection legs of an interchange, between two interstate highways.
149. *Valance.* A vertically hanging or suspended fringe on an awning or canopy, often used as a decorative element.
150. *Visible.* Capable of being seen by a person of normal visual acuity (whether legible or not) without visual aid.
151. *Visibly obstructed.* The view of a sign which is blocked by a building or other man-made structure so as to be incapable of being seen from that line of sight.
152. *Wall.* Any structure which defines the exterior boundaries or courts of a building or structure and which has a slope of sixty (60) degrees or greater with the horizontal plane.
154. *Wall sign.* Any building sign attached parallel to, but within eighteen (18) inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface (Refer to Diagram 32).
155. *Wind sign.* A sign of lightweight fabric or similar material attached at one end to a pole or similar apparatus so as to swing freely, inflate and flutter by movement of the wind (Refer to Diagram 30).
156. *Window sign.* Any building sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed: 1) inside of, and within two (2) feet of, a window; or, 2) upon the window panes or glass, and is visible from the exterior of the window (Refer to Diagram 32).

GRAPHIC ILLUSTRATIONS

ITEM	DIAGRAM
Diagram 1	Computation of Area of Individual Signs
Diagram 2	Computation of Area of Multifaced Signs
Diagram 3	Computation of Height
Diagram 4	Grade Mounding
Diagram 5	Clear Sight Triangular Area
Diagram 6	Sign Height Exception
Diagram 7	Sign Separation From a Protected District
Diagram 8	Pole Sign Clearance
Diagram 9	Wall Sign Extension

Diagram 10	Roof-Integral Sign Extension
Diagram 11	Projecting Sign <ul style="list-style-type: none"> a. Maximum Sign Area b. Clearance from Grade c. Minimum Setback, Front
Diagram 12	Wall Sign/Maximum Sign Area (Dwelling and Special Zoning Districts)
Diagram 13	Suspended Signs - Clearance from Grade
Diagram 14	Ground Sign - Maximum Sign Height
Diagram 15	Number of Freestanding Identification Signs - Extensive Frontage
Diagram 16	Maximum Surface Area for Building Identification Signs and Maximum Size for Wall Signs (Commercial and Industrial Districts)
Diagram 17	Lower and Upper Level Building Identification Signs (CBD and RCM Districts)
Diagram 18	Linear Spacing Between Outdoor Advertising Signs
Diagram 19	Radial Spacing Between Outdoor Advertising Signs
Diagram 20	Outdoor Advertising Signs Adjacent to Protected Districts
Diagram 21	Outdoor Advertising Signs Inside I-465
Diagram 22	Awning Signs
Diagram 23	Canopy Signs
Diagram 24	Marquee Signs
Diagram 25	Gasoline Service Station/Convenience Market Signs: <ul style="list-style-type: none"> a. Canopy Sign b. Pump Island Sign c. Spandrel Sign
Diagram 26	Signs on Interstate Freeways and Expressways - Measurement of Separation For Off-Premise Signs
Diagram 27	Signs on Interstate Freeways and Expressways - Entrance Roadway Limitation
Diagram 28	Tall Signs at Freeway and Expressway Interchanges
Diagram 29	Distance From Signalized Intersections - EVMS
Diagram 30	Sign Types I: <ul style="list-style-type: none"> a. A-Sign b. Fixed Balloon Sign c. Banner d. Pennant e. T-Sign f. Wind Sign
Diagram 31	Sign Types II: <ul style="list-style-type: none"> a. Ground Sign b. Pole Sign c. Projecting Sign d. Pylon Sign e. Roof Sign f. Roof-Integral Sign
Diagram 32	Sign Types III: <ul style="list-style-type: none"> a. Suspended Sign c. Window Sign b. Wall Sign

Diagram 33	Clearance	
Diagram 34	Driveway	
Diagram 35	Extension	
Diagram 36	a. Lot	b. Lot, Corner
Diagram 37	a. Setback	b. Setback Line

CHAPTER 7.00 VIOLATIONS/ENFORCEMENT AND REMEDIES

The Enforcement and Remedies Zoning Ordinance of Marion County (88-AO-5/G.O. 122, 1988, as amended) shall govern the enforcement of violations of any provision of this ordinance.

CHAPTER 8.00 SEVERABILITY CLAUSE

If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

[The diagrams referred to in this ordinance are not attached, but are on file with the original version of the ordinance in the office of the Clerk of the city-County Council.]

PROPOSAL NO. 42, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 42, 1995 on January 17, 1995. The proposal approves a change in ownership of the cable television franchise now owned by Time Warner Entertainment Company, L.P. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Jimison, for adoption. Proposal No. 42, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

1 NAY: McClamroch

3 NOT VOTING: Brents, Coughenour, Williams

1 NOT PRESENT: Gray

Proposal No. 42, 1995 was retitled SPECIAL RESOLUTION NO. 7, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 7, 1995

A SPECIAL RESOLUTION approving a change in ownership of the cable television franchise now owned by Time Warner Entertainment Company, L.P.

WHEREAS, Time Warner Entertainment Company, L.P. (TWE) is the holder of a (Franchise) to provide cable television service within its franchise territory for the City of Indianapolis, Indiana (City); and

WHEREAS, TWE together with Advance Publications and Newhouse Broadcasting Corporation desire to create a new joint venture cable operation to be called Time Warner Entertainment-Advance/Newhouse Partnership; and

WHEREAS, TWE will manage the joint venture which will be two-thirds owned by TWE and one-third owned by Advance/Newhouse, a partnership of the Newhouse Broadcasting and Advance Publications, Inc.; and

WHEREAS, the Cable Franchise Board of the City of Indianapolis, Indiana, has approved the transfer of ownership of the Franchise and the cable television system operating pursuant to the Franchise from the Time Warner Entertainment Company, L.P. to Time Warner Entertainment Advance/Newhouse Partnership by subject to certain terms and conditions set forth in its Resolution No. 1, 1994; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The transfer of ownership of the Franchise from TWE to Time Warner Entertainment-Advance/Newhouse Partnership is hereby approved, subject to the transferee agreeing in writing to all terms and conditions of the Franchise, as amended, and agreeing to the further terms set forth in Resolution No. 1, 1994 of the Cable Franchise Board.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 698, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 698, 1994 on January 18, 1995. The proposal, sponsored by Councillor Moriarty Adams, amends the Code by authorizing multi-way stop at Dequincy Street and Walnut Street (District 15). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 698, 1994 was adopted on the following roll call vote; viz:

21 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Smith, West*

0 NAYS:

7 NOT VOTING: *Dowden, Giffin, Gilmer, Golc, Schneider, Short, Williams*

1 NOT PRESENT: *Gray*

Proposal No. 698, 1994 was retitled GENERAL ORDINANCE NO. 5, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 5, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 14	Dequincy St & Walnut St	Dequincy St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 14	Dequincy St & Walnut St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 2-12, 1995. Councillor Gilmer asked for consent to vote on these transportation proposals together. Consent was given.

PROPOSAL NO. 2, 1995. The proposal, sponsored by Councillor Dowden, amends the Code by authorizing a traffic signal at Shadeland Avenue and Lake Castleton Arms (District 4). PROPOSAL NO. 3, 1995. The proposal, sponsored by Councillor Gray, amends the Code by authorizing a multi-way stop at 33rd Street and Kenwood Avenue (District 9). PROPOSAL NO. 4, 1995. The proposal, sponsored by Councillor Jimison, amends the Code by authorizing a multi-way stop at Ritter Avenue and 41st Street (District 14). PROPOSAL NO. 5, 1995. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing a multi-way stop at Manning Road and Catalpa Street (District 1). PROPOSAL NO. 6, 1995. The proposal, sponsored by Councillor Ruhmkorff, amends the Code by authorizing a multi-way stop at Edmondson Avenue and Springer Avenue (District 12). PROPOSAL NO. 7, 1995. The proposal, sponsored by Councillor Golc, amends the Code by authorizing a stop sign at Moreland Avenue and Southern Avenue (District 17). PROPOSAL NO. 8, 1995. The proposal, sponsored by Councillor Brents, amends the Code by authorizing a stop sign at Muskingham Street and Arch Street (District 16). PROPOSAL NO. 9, 1995. The proposal, sponsored by Councillor Rhodes, amends the Code by authorizing a multi-way stop at 60th Street and Rosslyn Avenue (District 7). PROPOSAL NO. 10, 1995. The proposal, sponsored by Councillor Mullin, amends the Code by authorizing a stop sign at Benton Drive and Cynthia Drive (District 20). PROPOSAL NO. 11, 1995. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing a multi-way stop at Old Barn Circle and Old Barn Drive (District 1). PROPOSAL NO. 12, 1995. The proposal, sponsored by Councillor Schneider, amends the Code by authorizing a yield sign at Kenwood Avenue and Kenwood Court (District 3). Councillor Gilmer reported that Proposal Nos. 2-12, 1995 were heard by the Capital Asset Management Committee on January 18, 1995. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 2-12, 1995 were adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, Williams*

0 NAYS:

3 NOT VOTING: *Brents, Schneider, West*

1 NOT PRESENT: *Gray*

Proposal No. 2, 1995 was retitled GENERAL ORDINANCE NO. 6, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 6, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6, Pg. 11	Shadeland Av (7600 N), Lake Castleton Arms	None	Signal

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 3, 1995 was retitled GENERAL ORDINANCE NO. 7, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 7, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 19	33rd St, Kenwood Av	Kenwood Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 19	33rd St, Kenwood Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 4, 1995 was retitled GENERAL ORDINANCE NO. 8, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 8, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19, Pg. 22	Ritter Av, 41st St	Ritter Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

January 23, 1995

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19, Pg. 22	Ritter Av, 41st St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 5, 1995 was retitled GENERAL ORDINANCE NO. 9, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 9, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
8, Pg. 1	Catalpa St, Manning Rd	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 6, 1995 was retitled GENERAL ORDINANCE NO. 10, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 10, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27, Pg. 6	Edmondson Av, Springer Av	Edmondson Av,	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27, Pg. 6	Edmondson Av, Springer Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 7, 1995 was retitled GENERAL ORDINANCE NO. 11, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 11, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
31, Pg. 11	Moreland Av, Southern Av	Southern Av	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 8, 1995 was retitled GENERAL ORDINANCE NO. 12, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 12, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 3	Arch St, Muskingham St	Muskingham St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 9, 1995 was retitled GENERAL ORDINANCE NO. 13, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 13, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 24	60th St, Rosslyn Av	Rosslyn Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 24	60th St, Rosslyn Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 10, 1995 was retitled GENERAL ORDINANCE NO. 14, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 14, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
46, Pg. 2	Benton Dr, Cynthia Dr	Benton Dr	Yield

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
46, Pg. 2	Benton Dr, Cynthia Dr	Benton Dr	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 11, 1995 was retitled GENERAL ORDINANCE NO. 15, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 15, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 9	Old Barn Ci, Old Barn Dr	Old Barn Dr	Yield

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 9	Old Barn Ci, Old Barn Dr	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 12, 1995 was retitled GENERAL ORDINANCE NO. 16, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 16, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4, Pg. 8	Kenwood Av, Kenwood Ct	Kenwood Dr	Yield

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 13, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 13, 1995 on January 18, 1995. The proposal, sponsored by Councillor Williams, amends the Code by authorizing one-way traffic flow on 21st Street between Pennsylvania Street and Talbott Street (eastbound); on 21st Street Annex between Talbott Street and Pennsylvania Street (westbound); and on 17th Street between Talbott Street and Delaware Street (eastbound) (District 22). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 13, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT PRESENT: *Gray*

Proposal No. 13, 1995 was retitled GENERAL ORDINANCE NO. 17, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 17, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-166, One-way streets and alleys designated.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

January 23, 1995

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-166, One-way streets and alleys designated, be, and the same is hereby, amended by the addition of the following, to wit:

ONE-WAY
EASTBOUND

Twenty-first Street, from
Pennsylvania Street to Talbott Street

Seventeenth Street, from
Talbott Street to Delaware Street

ONE-WAY
WESTBOUND

Twenty-first Street Annex, from
Talbott Street to Pennsylvania Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

OLD BUSINESS

Councillor Short stated last week in one of the committee hearings, in his opinion, a dangerous precedent was set as how the Council does its business. Proposals were struck and major changes were substituted without consulting with the sponsor.

Councillor Rhodes said that Proposal Nos. 389, 390, 391 and 392, 1994 will be heard by the Administration and Finance Committee on February 7, 1995. Mr. Rhodes said that the only amendment made to a proposal at the Administration and Finance Committee meeting on January 17, 1995 was to a proposal that he had sponsored.

NEW BUSINESS

Councillor Borst announced that there would be two Circle Centre Mall tours--January 25 at noon and January 26 at 4:00 p.m. Councillors who wish to attend should contact Kelly Kautsky in the Council office.

As a point of personal privilege, Councillor Smith stated that one of his constituents has asked for an opportunity to address the Council. The President said that Councillor Smith's constituent could have two minutes to address the Council.

Mr. Stephen Kappes stated that on Wednesday afternoon walking out of the Capital Center Building at Illinois and Ohio Streets he was confronted by a full-scale statute completely unclothed. He does not believe this kind of statute is acceptable in the City of Indianapolis. He hopes that the Council will see to it that Browning Investments is encouraged to do something about it without legal action.

ANNOUNCEMENTS AND ADJOURNMENT

Councillor Hinkle announced that the Council members received a token of appreciation from Fred Tucker, III, in appreciation for the honor which the Council bestowed upon his father at the January 9th Council meeting. Mr. Hinkle suggested that the Councillors send a contribution to the MIBOR (Metropolitan Indianapolis Board of Realtors) Foundation, which

moneys are used in conjunction with the Indianapolis Department of Parks and Recreation to fix up neighborhood parks.

The President said that the docketed agenda for this meeting of the Council had been completed, the Chair will now entertain motions for adjournment.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Leon "Skip" Levy, Jr. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to his family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:35 p.m.

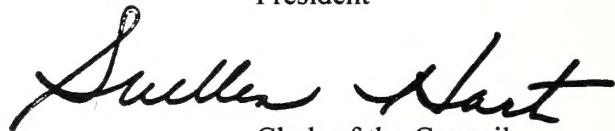
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 23rd day of January, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, FEBRUARY 13, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:12 p.m. on Monday, February 13, 1995, with Councillor SerVaas presiding.

Councillor Boyd led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Curry introduced Alfred Tsang who survived 35 combat missions over Japan in a B-29 during World War II.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Journal of the City-County Council

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, February 13, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

January 24, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, January 26, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 70, 1995, to be held on Monday, February 13, 1995, at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

Robert G. Elrod, General Counsel
City-County Council, Suite 241
City-County Building
200 East Washington Street
Indianapolis, IN 46204

February 2, 1995

Re: Zoning Ordinance Amendment 94-AO-10 (The Sign Regulations of Marion County)
(General Ordinance No. 4, 1995)

Dear Bob:

This letter is official notification that the Metropolitan Development Commission, at its February 1, 1995 meeting, considered Zoning Ordinance Amendment 94-AO-10 (General Ordinance No. 4, 1995) as amended and adopted by the City-County Council on January 23, 1995. The Commission, by a vote of 8-0, did ratify and adopt the Council's amended version of the legislation.

Sincerely,
s/ J. June Dugan
Administrator
Neighborhood and Development Services Division

January 26, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

GENERAL ORDINANCE NO. 2, 1995 - amending Sec. 285-307 of the Revised Code concerning the distribution of enhanced access fees

February 13, 1995

GENERAL ORDINANCE NO. 3, 1995 - authorizing the Marion County Recorder to collect a reasonable fee for providing duplicate copies of computer tapes, computer disks, optical disks, microfilm, or similar media to the general public

GENERAL ORDINANCE NO. 5, 1995 - amending the Code by authorizing multi-way stop at Dequincy Street and Walnut Street (District 15)

GENERAL ORDINANCE NO. 6, 1995 - amending the Code by authorizing a traffic signal at Shadeland Avenue and Lake Castleton Arms (District 4)

GENERAL ORDINANCE NO. 7, 1995 - amending the Code by authorizing a multi-way stop at 33rd Street and Kenwood Avenue (District 9)

GENERAL ORDINANCE NO. 8, 1995 - amending the Code by authorizing a multi-way stop at Ritter Avenue and 41st Street (District 14)

GENERAL ORDINANCE NO. 9, 1995 - amending the Code by authorizing a multi-way stop at Manning Road and Catalpa Street (District 1)

GENERAL ORDINANCE NO. 10, 1995 - amending the Code by authorizing a multi-way stop at Edmondson Avenue and Springer Avenue (District 12)

GENERAL ORDINANCE NO. 11, 1995 - amending the Code by authorizing a stop sign at Moreland Avenue and Southern Avenue (District 17)

GENERAL ORDINANCE NO. 12, 1995 - amending the Code by authorizing a stop sign at Muskingham Street and Arch Street (District 16)

GENERAL ORDINANCE NO. 13, 1995 - amending the Code by authorizing a multi-way stop at 60th Street and Rosslyn Avenue (District 7)

GENERAL ORDINANCE NO. 14, 1995 - amending the Code by authorizing a stop sign at Benton Drive and Cynthia Drive (District 20)

GENERAL ORDINANCE NO. 15, 1995 - amending the Code by authorizing a multi-way stop at Old Barn Circle and Old Barn Drive (District 1)

GENERAL ORDINANCE NO. 16, 1995 - amending the Code by authorizing a yield sign at Kenwood Avenue and Kenwood Court (District 3)

GENERAL ORDINANCE NO. 17, 1995 - amending the Code by authorizing one-way traffic flow on 21st Street between Pennsylvania Street and Talbott Street (eastbound); on 21st Street Annex between Talbott Street and Pennsylvania Street (westbound); and on 17th Street between Talbott Street and Delaware Street (eastbound) (District 22)

SPECIAL ORDINANCE NO. 1, 1995 - authorizing the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$7 million for Veltri Stamping Corporation (413 North Tremont Avenue, District 16)

SPECIAL ORDINANCE NO. 2, 1995 - authorizing the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$3 million for Indianapolis Art Center, Inc. (820 East 67th Street, District 2)

SPECIAL RESOLUTION NO. 4, 1995 - recognizing the State Champion North Central High School Boys Soccer Team

SPECIAL RESOLUTION NO. 5, 1995 - recognizing the 1994 state football champion Roncalli High School Rebels

SPECIAL RESOLUTION NO. 6, 1995 - commending Yellow Cab and the new assistance of St. Vincent and Community Hospitals for free taxi rides home on New Year's Eve

SPECIAL RESOLUTION NO. 7, 1995 - approving a change in ownership of the cable television franchise now owned by Time Warner Entertainment Company, L.P.

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of January 23, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 143, 1995. This proposal, sponsored by Councillor Golc, congratulates the Washington High School Continentals City Basketball Champions. Councillor Golc introduced Wayne Park and Jim Arnold, members of the championship 1969 basketball team, who read the resolution. Councillor Golc presented copies of the document and a Council pin to members of the team, coaching staff and other representatives from Washington High School. Coach Joe Pearson expressed appreciation for the recognition. Councillor Golc moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 143, 1995 was adopted by unanimous voice vote.

Proposal No. 143, 1995 was retitled SPECIAL RESOLUTION NO. 8, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 8, 1995

A SPECIAL RESOLUTION congratulating the Washington High School Continentals City Basketball Champions.

WHEREAS, during its more than six decades of existence, Indianapolis Public School's Washington High School has been a legendary basketball powerhouse; and

WHEREAS, Washington has won the city roundball tournament eleven times, and the state title in 1965 and 1969 with basketball legends like Billy Keller and George McGinnis; and

WHEREAS, even though this is scheduled to be Washington High School's last year, the winning tradition of the Continentals is still very much alive in the students; and

WHEREAS, on January 23, 1995, the Continentals finished the City Tournament as Number One after a very hard 60-51 victory over Cathedral High School; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council congratulates the Washington High School Continentals for winning the 1995 City Basketball Tournament.

SECTION 2. The Council specifically recognizes team members Adrian Floyd, David Gilbert, Benji Hopson, Jack Owens, Marcus Reedy, Chris Sutton, Robert Williams, Reggie Fulce and Anthony Linton.

SECTION 3. The Council also recognizes the basketball staff Brad Goffinet, Joe Elliott, Alan Hamilton, David Donald, Head Coach Joe Pearson, Athletic Director Gene Robertson, Principal Alonzo Walker, and the school fans, faculty, staff and the parents who all stand behind this winning team.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 144, 1995. This proposal, sponsored by Councillors Dowden and Short, recognizes former Sheriff Joseph G. McAtee. Councillor Dowden read the resolution and said that he would present a copy of the document to Sheriff McAtee at a later date. Councillor Dowden moved, seconded by Councillor Short, for adoption. Proposal No. 144, 1995 was adopted by unanimous voice vote.

Proposal No. 144, 1995 was retitled SPECIAL RESOLUTION NO. 9, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 9, 1995

A SPECIAL RESOLUTION recognizing former Sheriff Joseph G. McAtee.

WHEREAS, Sheriff Joseph G "Joe" McAtee, a native of Loogootee, Indiana, began his law enforcement career as a patrol officer with the Indianapolis Police Department in 1958; and

WHEREAS, his years on the force were marked with distinction and promotions that ultimately led to his serving for six years as Chief of the Indianapolis Police Department; and

WHEREAS, in 1986, Marion County voters elected Joe McAtee as their Sheriff for the first of two four year terms; and

WHEREAS, during those 36 years of service, Sheriff McAtee attended law enforcement continuing education courses too numerous to mention, was appointed by Governor Orr to the Indiana State Law Enforcement Training Board and was on the Sheriffs' Committees on Uniforms and Car Markings; and

WHEREAS, Sheriff McAtee also served on several joint law enforcement task forces and coordinating committees; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the lifetime of law enforcement public service of Sheriff Joseph G. McAtee.

SECTION 2. The Council wishes him well as the new Pike Township Constable.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 145, 1995. This proposal, sponsored by Councillors Short and Dowden, recognizes Prosecutor Jeffrey A. Modisett. Councillor Short read the resolution and presented a copy of the document to Mr. Modisett, who expressed appreciation for the recognition. Councillor Short moved, seconded by Councillor Dowden, for adoption. Proposal No. 145, 1995 was adopted by unanimous voice vote.

Proposal No. 145, 1995 was retitled SPECIAL RESOLUTION NO. 10, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 10, 1995

A SPECIAL RESOLUTION recognizing Prosecutor Jeffrey A. Modisett.

WHEREAS, Jeffrey A. "Jeff" Modisett was the elected Marion County Prosecutor from January, 1991, through December, 1994; and

WHEREAS, the Windfall, Indiana, native was Valedictorian of his high school class and was student body President, went to Indiana University where he was on the Dean's List and active in the Indiana Public Interest Research Group; and

WHEREAS, Mr. Modisett continued his studies at the University of California at Los Angeles, at Oxford University and Yale Law School where he was Editor-in-Chief of the Yale Journal of International Law where he was active in the Barrister's Association, Moot Court and Legal Services Organization; and

WHEREAS, after his studies, Mr. Modisett worked for the U.S. District Court and was Assistant U.S. Attorney in Los Angeles, and later returned to the Hoosier State to work with the Evan Bayh campaign and with new Governor Bayh; and

WHEREAS, as Marion County Prosecutor, Mr. Modisett's 97 attorneys were involved in 8,000 felony and 15,000 misdemeanor cases, had a 150% increase in convictions of habitual felony offenders, created new school-based programs and devoted time with illegal drugs and anti-violence initiatives; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the public service of Jeffrey A. Modisett as Marion County Prosecutor from 1991 through 1994.

SECTION 2. It is a tribute to this city that citizens with such talent and integrity as Jeff Modisett are willing to interrupt their careers to render public service to the community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 146, 1995. This proposal, sponsored by Councillor Beadling, recognizes the community of Oaklandon. Councillor Beadling read the resolution and presented a copy of the document to members of the Oaklandon Community Development Association: Paul Rogers, Jerry Reighley, Vicki Kimsey, Kath Walton and Cliff Hutchinson. Mr. Rogers expressed appreciation for the recognition. Councillor Beadling moved, seconded by Councillor Gilmer, for adoption. Proposal No. 146, 1995 was adopted by unanimous voice vote.

Proposal No. 146, 1995 was retitled SPECIAL RESOLUTION NO. 11, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 11, 1995

A SPECIAL RESOLUTION recognizing the community of Oaklandon.

WHEREAS, Indianapolis is made great by the people in the neighborhoods who are active, creative, generous and willing to lend a hand to make their corners of the city a good place in which to live; and

WHEREAS, one example of a community with spirit and vitality is Oaklandon in Lawrence Township; and

WHEREAS, each year the Oaklandon Community Development Association and Geist District hosts a popular Old Oaklandon Days Arts and Crafts Fair that attracts thousands of people; and

WHEREAS, along with clothing sales, the neighborhood group is able to hold a free annual Christmas Party for the children, help needy families, was able to financially assist a child with cancer, has contributed to the City of Lawrence Animal Shelter, the Lawrence Police and Fire Departments, to a play park, homeless shelters and to the Marion County Guardian's Home; and

WHEREAS, during a 30-day period in late 1994, the U.S. Postal Service authorized a special pictorial cancellation stamp for Oaklandon that was sought by collectors from throughout America; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and salutes the proud citizens of Oaklandon.

SECTION 2. Community pride is an admirable trademark of Oaklandon; and the Council wishes them well in the years ahead.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 147, 1995. This proposal, sponsored by Councillors Gilmer and SerVaas, concerns the Smithsonian exhibit of the *Enola Gay*. Councillor SerVaas expressed his sentiments concerning the *Enola Gay* issue. Councillor Gilmer read the resolution and presented a copy of the document to Elbert L. Watson, World War II Commemorative Association; Hugh Dagley, Internal Affairs, American Legion; Harold Henneke, Vice President, Great Lakes Region, Air Force Association; Jim Aderholt, Director, District Office, Congressman Dan Burton; Carolyn Brodehoeft, Military Affairs Officer, Congressman Steve Buyer; and Don Rehl, B-29 pilot and member of the 509th Composite Group. Also present were many World War II veterans. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal No. 147, 1995 was adopted by unanimous voice vote.

Proposal No. 147, 1995 was retitled SPECIAL RESOLUTION NO. 12, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 12, 1995

A SPECIAL RESOLUTION concerning the Smithsonian exhibit of the *Enola Gay*.

WHEREAS, the Smithsonian Institution was created to preserve and depict America's accomplishments; and

WHEREAS, the recent effort by the director and several curators at the National Air and Space Museum sought to establish a display on the *Enola Gay* which brought America's role during World War II seriously into question; and

WHEREAS, this display, if erected, would have also cast America's veterans in an unfavorable light; and

WHEREAS, this display was strongly resisted by the American Legion, the Air Force Association, the Veterans of Foreign Wars as well as the Indianapolis-based World War II National Commemorative Association and the World War II Round Table; and

WHEREAS, the efforts of these groups, as well as numerous individual veterans and members of Congress resulted in the cancellation of the exhibit narrative as previously planned; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council commends all those who worked so hard to have the exhibit discontinued as previously planned.

SECTION 2. The Council suggests that Dr. Martin Harwit, director of the National Air and Space Museum, owes a public apology to the veterans of our beloved country.

SECTION 3. The Council further suggests that the *Enola Gay* is an important artifact of American history, and should be completely restored as soon as possible and placed on public display in an appropriate place.

SECTION 4. The Council urges that in this final year of the 50th Anniversary of World War II that our community pay particular attention to the World War II veterans, and find opportunities to thank them for their love and faith in our Great Nation.

SECTION 5. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 148, 1995. This proposal, sponsored by Councillors Boyd, Coughenour, Curry, Franklin, Gray, Jimison, Jones, Rhodes and Smith, encourages citizens to share information with law enforcement officials about specific crimes and crime related activity in their communities. Councillor Boyd stressed that this resolution simply states that people have a stake in their communities and have a right to be free and enjoy their homes. It is not wrong for citizens to come forward and let the law enforcement officials know when some people are involved in doing bad things in the neighborhoods. Councillor Boyd read the resolution and moved for its adoption. Councillor Black seconded the motion. Proposal No. 148, 1995 was adopted by unanimous voice vote.

Proposal No. 148, 1995 was retitled SPECIAL RESOLUTION NO. 13, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 13, 1995

A SPECIAL RESOLUTION encouraging citizens to share with law enforcement officials information about specific crimes and crime related activity in their communities.

WHEREAS, on Friday, January 13, 1995, Derick J. Hale, a sophomore student at Washington High School, became the victim of a malicious, brutal and absolutely senseless act of violence which resulted in his death, and

WHEREAS, this murder, occurring during the daylight hours, in a public place and in view of several citizens, is a partial indication of the increasing disregard by some for the values held by the body politic and is also an indication of the comfort level of those who are or would be perpetrators of such violent acts, and

WHEREAS, such behavior against the urban neighborhood tends to decrease the comfort level of all those hardworking and law-abiding citizens who have every expectation of and right to a secure and safe environment, free of fear of the violation and trespass of life, body and property, and

WHEREAS, the democratic condition normally requires that all people enjoy freedom of movement with neither fear nor intimidation; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes that the speedy apprehension of the persons allegedly responsible for the death of Derick Hale was, in large measure, the result of citizens who came forward to tell what they knew.

SECTION 2. Be it further resolved, that the Council honors and congratulates those citizens and encourage all citizens to take greater ownership of the communities where they live, work and travel by sharing with the law enforcement officials specific crimes and crime-related activities in the community.

SECTION 3. Be it finally resolved, that the City of Indianapolis, acting through it's elected City-County Council, extend condolences, sympathy and understanding to the family and friends of Derick J. Hale, as well as to the family and friends of the young people accused of the crime.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The President stated that Proposal Nos. 25, 26, 27, 28, 30, 32, 33, 36, 37, 58, 59, 65, 74, 75, 78, 79 and 80, 1995 are all board appointments, were heard by various committees, and would be voted on together.

PROPOSAL NO. 25, 1995. The proposal reappoints Randolph L. Snyder to the Metropolitan Development Commission. PROPOSAL NO. 26, 1995. The proposal reappoints Isaac Randolph to the Metropolitan Board of Zoning Appeals Division II. PROPOSAL NO. 27, 1995. The proposal reappoints Robert A. Stewart to the Metropolitan Board of Zoning Appeals Division III. PROPOSAL NO. 28, 1995. The proposal reappoints Mark DeFabis to the Indianapolis City-Market Corporation Board. PROPOSAL NO. 30, 1995. The proposal reappoints Elliott Nelson to the Board of Public Safety. PROPOSAL NO. 32, 1995. The proposal reappoints Ann Curry to the Animal Control Board. PROPOSAL NO. 33, 1995. The proposal reappoints J. Lloyd Grannan to the Animal Control Board. PROPOSAL NO. 36, 1995. The proposal reappoints Tony A. Buford to the Board of Public Works. PROPOSAL NO. 37, 1995. The proposal reappoints Larry L. Tunget to the Board of Public Works. PROPOSAL NO. 58, 1995. The proposal approves the Mayor's appointment of Elaine E. Bedel as Director of the Department of Metropolitan Development for a term ending December 31, 1995. PROPOSAL NO. 59, 1995. The proposal reappoints Jack H. Hall, M.D. to the Metropolitan Development Commission. PROPOSAL NO. 65, 1995. The proposal approves the Mayor's appointment of Michael E. Beaver as Director of the Department of Public Safety for a term ending December 31, 1995. PROPOSAL NO. 74, 1995. The proposal approves the Mayor's appointment of Michael B. Stayton as Director of the Department of Public Works for a term ending December 31, 1995. PROPOSAL NO. 75, 1995. The proposal approves the Mayor's appointment of Leon E. Younger as Director of the Indianapolis Department of Parks and Recreation for a term ending December 31, 1995. PROPOSAL NO. 78, 1995. The proposal reappoints Alan Retherford to the Metropolitan Board of Zoning Appeals Division I. PROPOSAL NO. 79, 1995. The proposal reappoints Mary Jane Klepek to the Metropolitan Board of Zoning Appeals Division III. PROPOSAL NO. 80, 1995. The proposal reappoints Joanna Walker to the Metropolitan Board of Zoning Appeals Division I. Councillor McClamroch moved these proposals for adoption. Proposal Nos. 25, 26, 27, 28, 30, 32, 33, 36, 37, 58, 59, 65, 74, 75, 78, 79 and 80, 1995 were adopted by unanimous voice vote.

Councillor Curry asked that his vote on Proposal No. 32, 1995 be shown as an abstention.

Proposal No. 25, 1995 was retitled COUNCIL RESOLUTION NO. 8, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 8, 1995

A COUNCIL RESOLUTION reappointing Randolph L. Snyder to the Metropolitan Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Development Commission, the Council appoints:

Randolph L. Snyder

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 26, 1995 was retitled COUNCIL RESOLUTION NO. 9, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 9, 1995

A COUNCIL RESOLUTION reappointing Isaac Randolph to the Metropolitan Board of Zoning Appeals Division II.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals Division II, the Council appoints:

Isaac Randolph

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 27, 1995 was retitled COUNCIL RESOLUTION NO. 10, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 10, 1995

A COUNCIL RESOLUTION reappointing Robert A. Stewart to the Metropolitan Board of Zoning Appeals Division III.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals Division III, the Council appoints:

Robert A. Stewart

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 28, 1995 was retitled COUNCIL RESOLUTION NO. 11, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 11, 1995

A COUNCIL RESOLUTION reappointing Mark DeFabis to the Indianapolis City-Market Corporation Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis City-Market Corporation Board, the Council appoints:

Mark DeFabis

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 30, 1995 was retitled COUNCIL RESOLUTION NO. 12, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 12, 1995

A COUNCIL RESOLUTION reappointing Elliott Nelson to the Board of Public Safety.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Safety, the Council appoints:

Elliott Nelson

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 32, 1995 was retitled COUNCIL RESOLUTION NO. 13, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 13, 1995

A COUNCIL RESOLUTION reappointing Ann Curry to the Animal Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Animal Control Board, the Council appoints:

Ann Curry

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 33, 1995 was retitled COUNCIL RESOLUTION NO. 14, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 14, 1995

A COUNCIL RESOLUTION reappointing J. Lloyd Grannan to the Animal Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Animal Control Board, the Council appoints:

J. Lloyd Grannan

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 36, 1995 was retitled COUNCIL RESOLUTION NO. 15, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 15, 1995

A COUNCIL RESOLUTION reappointing Tony A. Buford to the Board of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Works, the Council appoints:

Tony A. Buford

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 37, 1995 was retitled COUNCIL RESOLUTION NO. 16, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 16, 1995

A COUNCIL RESOLUTION reappointing Larry L. Tunget to the Board of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Works, the Council appoints:

Larry L. Tunget

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 58, 1995 was retitled COUNCIL RESOLUTION NO. 17, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 17, 1995

A COUNCIL RESOLUTION approving the Mayor's appointment of Elaine E. Bedel as Director of the Department of Metropolitan Development for a term ending December 31, 1995.

WHEREAS, pursuant to IC 36-3-5-2 and Section 231-11 of the "Revised Code of the Consolidated City and County, Indiana", a mayoral appointment of the Director of the Department of Metropolitan Development is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Elaine E. Bedel to serve as Director of the Department of Metropolitan Development at his pleasure for a term ending December 31, 1995; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Elaine E. Bedel is approved and confirmed by the City-County Council to serve as Director of the Department of Metropolitan Development at the pleasure of the Mayor for a term ending December 31, 1995.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 59, 1995 was retitled COUNCIL RESOLUTION NO. 18, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 18, 1995

A COUNCIL RESOLUTION reappointing Jack H. Hall, M.D. to the Metropolitan Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Development Commission, the Council appoints:

Jack H. Hall, M.D.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 65, 1995 was retitled COUNCIL RESOLUTION NO. 19, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 19, 1995

A COUNCIL RESOLUTION approving the Mayor's appointment of Michael E. Beaver as Director of the Department Public Safety for a term ending December 31, 1995.

WHEREAS, pursuant to IC 36-3-5-2 and Section 3-301 of the "Code of Indianapolis and Marion County, Indiana", a mayoral appointment of the Director of the Department of Public Safety is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Michael E. Beaver to serve as Director of the Department of Public Safety at his pleasure for a term ending December 31, 1995; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Michael E. Beaver is approved and confirmed by the City-County Council to serve as Director of the Department of Public Safety at the pleasure of the Mayor for a term ending December 31, 1995.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 74, 1995 was retitled COUNCIL RESOLUTION NO. 20, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 20, 1995

A COUNCIL RESOLUTION approving the Mayor's appointment of Michael B. Stayton as Director of the Department of Public Works for a term ending December 31, 1995.

WHEREAS, pursuant to IC 36-3-5-2 and Section 261-11 of the "Revised Code of the Consolidated City and County, Indiana", a mayoral appointment of the Director of the Department of Public Works is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Michael B. Stayton to serve as Director of the Department of Public Works at his pleasure for a term ending December 31, 1995; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Michael B. Stayton is approved and confirmed by the City-County Council to serve as Director of the Department of Public Works at the pleasure of the Mayor for a term ending December 31, 1995.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 75, 1995 was retitled COUNCIL RESOLUTION NO. 21, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 21, 1995

A COUNCIL RESOLUTION approving the Mayor's appointment of Leon Edward Younger as Director of the Indianapolis Department of Parks and Recreation for a term ending December 31, 1995.

WHEREAS, pursuant to IC 36-3-5-2 and Section 241-11 of the "Revised Code of the Consolidated City and County, Indiana", a mayoral appointment of the Director of the Indianapolis Department of Parks and Recreation is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Leon Edward Younger to serve as Director of the Indianapolis Department of Parks and Recreation at his pleasure for a term ending December 31, 1995; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Leon Edward Younger is approved and confirmed by the City-County Council to serve as Director of the Indianapolis Department of Parks and Recreation at the pleasure of the Mayor for a term ending December 31, 1995.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 78, 1995 was retitled COUNCIL RESOLUTION NO. 22, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 22, 1995

A COUNCIL RESOLUTION reappointing Alan Retherford to the Metropolitan Board of Zoning Appeals Division I.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals Division I, the Council appoints:

Alan Retherford

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 79, 1995 was retitled COUNCIL RESOLUTION NO. 23, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 23, 1995

A COUNCIL RESOLUTION reappointing Mary Jane Klepek to the Metropolitan Board of Zoning Appeals Division III.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals Division III, the Council appoints:

Mary Jane Klepek

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 80, 1995 was retitled COUNCIL RESOLUTION NO. 24, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 24, 1995

A COUNCIL RESOLUTION reappointing Joanna Walker to the Metropolitan Board of Zoning Appeals Division I.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals Division I, the Council appoints:

Joanna Walker

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 99, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Improvement Location Permit (ILP) Ordinance of Marion County to exempt 18 improvements/types of development from obtaining an ILP (MDC Docket No. 95-AO-2)"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 100, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Special Districts Zoning Ordinance of Marion County by (1) providing for certain improvements/types of development within "Special Districts" to be permitted by Administrator's Approval; (2) combining the language of the Special Use District Zoning Ordinance into the Special Districts Zoning Ordinance to consolidate two separate documents into one comprehensive ordinance; and (3) making minor technical amendments (MDC Docket No. 95-AO-3)"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 101, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Central Business Districts Zoning Ordinance of Marion County regarding off-track betting Pari Mutuel Wagering Facilities in any Central Business District (MDC Docket No. 95-AO-4)"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 102, 1995. Introduced by Councillors Gilmer and Short. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving a public purpose grant to USS Indianapolis Survivors Memorial Organization, Inc. in the amount of \$17,500"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 103, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving a public purpose grant to Central Indiana Radio Reading, Inc. in the amount of \$25,000 for the purpose of providing radio reading programs for the blind and print-disabled in Marion County"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 104, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Secs. 23-64 and 23-65 of the Code concerning salary limits for county employees"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 105, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the lease of office space located in Center Township for the Department of Public Safety"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 106, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$34,950 for the Cooperative Extension Service to cover lease and contractual services obligations financed by unappropriated revenues in the County General Fund"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 107, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION renominating Walter Quesenberry for appointment to the Lawrence Economic Development Board"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 108, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Redevelopment General Fund in the amount of \$150,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to implement the Facade Improvement Program which promotes the revitalization of the City's redeveloped commercial areas by providing financial incentives to participants financed by revenues from the Redevelopment General Fund"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 109, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Metropolitan Development General Fund in the amount of \$225,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to implement document imaging for the Metropolitan Development Commission's resolutions, building permit documents, and variance and rezoning documents financed by revenues from the Metropolitan Development General Fund"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 110, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Solid Waste Collection Service District Fund in the amount of \$1,630,000 for the Department of

Metropolitan Development, Neighborhood and Development Services Division, to clean up demolished buildings under the Unsafe Building Program financed by the unappropriated and unencumbered balance in that fund"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 111, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Metropolitan Development General Fund in the amount of \$168,000 for the Department of Metropolitan Development, Planning Division, to increase its current contracts with Indianapolis Project, Inc. and Greater Indianapolis Progress Committee and to provide funding for the Small Business Incubator Program financed by the unappropriated and unencumbered balance in the Metropolitan Development General Fund and by additional tax abatement filing fees"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 112, 1995. Introduced by Councillor Jones. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Park General/Golf Fund in the amount of \$300,000 for the Department of Parks and Recreation, Golf Division, for the construction of a driving range and a maintenance building at Douglass Golf Course financed by the unappropriated and unencumbered fund balance"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 113, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION renewing the Community Corrections program for fiscal year 1995-1996 and approving the Community Corrections Advisory Board's grant application to the State"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 114, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$51,742 for the Superior Court, Juvenile Division/Detention Center, to fund a Magistrate position at the court financed by revenues received from the Marion County Office of Family and Children"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 115, 1995. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$21,175 for the Superior Court, Criminal Division, Room Five, to fund a clerk's salary financed by unappropriated and unencumbered revenues in the County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 116, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$250 for the Superior Court, Civil Division, Room Five, to pay copier machine rental financed by a transfer of other appropriations for that court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 117, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Drug Free Community Fund in the amount of \$27,174 for the Marion County Justice Agency to support the Indianapolis Challenge project, which is a coordinated approach to issues and problems concerning substance abuse and related violence in the County financed by revenues from that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 118, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Drug Free Community Fund in the amount of \$487,893 for the Marion County Justice Agency to provide various criminal justice treatment and education programs financed by revenues from that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 119, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the City Cumulative Capital Development Fund in the amount of \$64,213 for the Department of Public Safety, Police Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 120, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the City Cumulative Capital Development Fund in the amount of \$1,445,466 for the Department of Public Safety, Fire Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 121, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE which is an appropriation from the Police Service District Fund in the amount of \$27,918 for the Department of Public Safety, Police Division, to fund an additional staff position for the Crime Stoppers program financed by a grant from the Indianapolis Foundation"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 122, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE which is an appropriation from the Police Service District Fund in the amount of \$679,842 for the Department of Public Safety, Police Division, to hire eighteen police officers financed by a U.S. Department of Justice grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 123, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE which is an appropriation from the Police Service District Fund in the amount of \$621,992 for the Department of Public Safety, Police Division, to establish a Weed and Seed National Demonstration Program financed by a U.S. Department of Justice grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 124, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is reallocating \$1,369,205 from the Solid Waste Disposal Fund to the Consolidated County Fund to provide reimbursement for the Department of Public Safety, Animal Control Division"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 125, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE approving an Interlocal Agreement between the City of Indianapolis and the Town of Cumberland for sewage transportation and treatment services"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 126, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation transfer request for \$2,235,000 in the Solid Waste Disposal Fund for the Department of Public Works, Solid Waste Management Division, and reducing a like amount from the Department of Capital Asset Management, Asset Management Division, for the removal and hauling of sludge from the sludge lagoons"; and the President referred it to the Public Works Committee.

Councillor Coughenour moved to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 126, 1995, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on February 27, 1994. This motion passed by consent.

PROPOSAL NO. 127, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Arterial Roads and Streets Fund in the amount of \$1,300,000 for the Department of Capital Asset Management, Asset Management Division, to provide funding for curb, sidewalk and resurfacing projects in neighborhoods financed by revenues from that fund"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 128, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Parking Meter Fund in the amount of \$1,250,000 for the Department of Capital Asset Management, Asset Management Division, to supplement the City's investment in infrastructure in parking meter areas financed by revenues from that fund"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 129, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the City Cumulative Capital Improvement Fund in the amount of \$800,000 for the Department of Capital Asset Management, Asset Management Division, to provide funding for curb, sidewalk, and resurfacing projects financed by revenues from that fund"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 130, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Sanitation General Fund in the amount of \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to fund unanticipated capital improvements

greater than \$25,000 financed by revenues from that fund"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 131, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Sanitary District General Improvement Fund in the amount of \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to supplement investment in Combined Sewer Overflow projects throughout the City financed by reducing the unappropriated and unencumbered balance in that fund"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 132, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Transportation General Fund in the amount of \$10,074,307 for the Department of Capital Asset Management, Asset Management Division, to provide funding for (1) additional resurfacing, curb and sidewalk repairs in neighborhoods; (2) service agreement for Washington Street; and (3) design work on I-70 and Six Points Road"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 133, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Creekside Woods subdivision (District 13)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 134, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Bardford Woods subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 135, 1995. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Summerfield South subdivision, Section 3 (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 136, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs for Cedar Springs subdivision (District 13)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 137, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Creekside Lane and Welham Road (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 138, 1995. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a yield sign for Kenwood Avenue and Kenwood Court (District 3)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 139, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop for Cranbrook Drive and Huntington Road (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 140, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop for Haverhill Drive and Merriam Road (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 141, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop for 58th Street and Tacoma Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 142, 1995. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal for Reilly Industries at Gate 6 (3450 W) on Minnesota Street (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 160, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning environmental public nuisances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 161, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Advanced Wastewater Treatment Facilities Reserve Fund in the amount of \$10,795,000 for the Department of Capital Asset Management, Finance and Administration Division, to make capital expenditures for the City's advanced wastewater treatment plant financed by revenues from that fund"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 162, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$40,000 for the Prosecuting Attorney to pay salary and fringe benefits for a Community Prosecutor for the Weed and Seed initiative on the near west side financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 149, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on February 9, 1995." The Council did not schedule Proposal No. 149, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 149, 1995 was retitled REZONING ORDINANCE NO. 24, 1995 and is identified as follows:

REZONING ORDINANCE NO. 24, 1995. 94-Z-80 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 17.
2801 WEST MORRIS STREET (approximate address), INDIANAPOLIS.

PERSONALIZED DELIVERY SERVICE, by Stephen D. Mears, requests the rezoning of 0.95 acre, being in the C-7 and D-5 Districts, to the C-7 classification to provide for commercial use of a trucking company and vehicle restoration.

PROPOSAL NOS. 150-151, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on February 9, 1995." The Council did not schedule Proposal Nos. 150-151, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 150-151, 1995 were retitled REZONING ORDINANCE NOS. 25-26, 1995 and are identified as follows:

REZONING ORDINANCE NO. 25, 1995. 94-Z-163 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 5.

8412 EAST 46TH STREET (approximate address), CITY OF LAWRENCE.

MADEL UTLEY requests the rezoning of 0.5729 acre, being in the C-1 District, to the D-5 classification to provide for the construction of a single-family residence.

REZONING ORDINANCE NO. 26, 1995. 94-Z-170 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 22.

1852 LUDLOW AVENUE (approximate address), INDIANAPOLIS.

ATCO RUBBER PRODUCTS, INC. requests the rezoning of 3.02 acres, being in the C-3 District, to the I-3-U classification to provide for an industrial manufacturing facility.

PROPOSAL NOS. 152-153, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on February 9, 1995." The Council did not schedule Proposal Nos. 152-153, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 152-153, 1995 were retitled REZONING ORDINANCE NOS. 27-28, 1995 and are identified as follows:

REZONING ORDINANCE NO. 27, 1995. 94-Z-177 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 20.

1650 STEVENS STREET (approximate address), INDIANAPOLIS.

WESTEL-INDIANAPOLIS COMPANY d/b/a CELLULAR ONE, by James A. L. Buddenbaum, requests the rezoning of 0.36 acre, being in the C-1 District, to the SU-35 classification to provide for a cellular mobile communication public utility service, including transmitting and receiving antenna.

REZONING ORDINANCE NO. 28, 1995. 94-Z-166 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 22.

2229 NORTH SHELDON STREET (approximate address), INDIANAPOLIS.

CHRIST MISSION HOME REFUGEES HOLINESS CHURCH, INC., by James N. Scahill, requests the rezoning of 0.2 acres, being in the D-5 District, to the SU-1 classification to provide for a church use.

PROPOSAL NO. 154, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on February 9, 1995." The Council did not schedule Proposal No. 154, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 154, 1995 was retitled REZONING ORDINANCE NO. 29, 1995 and is identified as follows:

REZONING ORDINANCE NO. 29, 1995. 94-Z-171 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT # 7.

6222 DOUGLAS ROAD (approximate address), INDIANAPOLIS.

MUNDY REALTY, INC., by Thomas Michael Quinn, requests the rezoning of 1.86 acres, being in the D-3 District, to the C-4 classification to provide for retail development.

PROPOSAL NOS. 155-159, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development

Commission on February 9, 1995." The Council did not schedule Proposal Nos. 155-159, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 155-159, 1995 were retitled REZONING ORDINANCE NOS. 30-34, 1995 and are identified as follows:

REZONING ORDINANCE NO. 30, 1995. 94-Z-219 (94-DP-9) PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 25.

6350 SOUTH BELMONT AVENUE (approximate address), INDIANAPOLIS.

GEORGE F. KOPETSKY, by G. Thomas Blankenship, requests the rezoning of 86.55 acres, being in the D-A(FF) and I-2-S(FF) Districts, to the D-P(FF) classification to provide for the sale and display of 244 unit manufactured and mobile-home planned development.

REZONING ORDINANCE NO. 31, 1995. 94-Z-192 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 9.

1126, 1132, 1134, 1140 and 1146 WEST ROACHE AVENUE (approximate address), INDIANAPOLIS.

UNITED NORTHWEST AREA DEVELOPMENT CORPORATION requests the rezoning of 0.52 acre, being in the I-2-U District, to the D-8 classification to provide for construction of five single-family residential units.

REZONING ORDINANCE NO. 32, 1995. 94-Z-202 PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 9.

4201 LAFAYETTE ROAD (approximate address), INDIANAPOLIS.

LARRY HACKETT, by C. Sue Craig, requests the rezoning of 0.29 acres, being in the D-A District, to the C-5 classification to provide for seasonal retail sales of produce.

REZONING ORDINANCE NO. 33, 1995. 94-Z-208 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT # 11.

2368 EAST 38TH STREET (approximate address), INDIANAPOLIS.

WHITE CASTLE SYSTEM, INC. requests the rezoning of 0.63 acre, being in the D-5 and C-5 Districts, to the C-5 classification to provide for a restaurant use.

REZONING ORDINANCE NO. 34, 1995. 95-Z-1 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 16.

701, 715-717, 723 RUSSELL AVENUE and 718 and 722 SOUTH MERIDIAN STREET (approximate address), INDIANAPOLIS.

RUSSELL REALTY CORPORATION, by Karen S. Horseman, requests the rezoning of 0.5 acre, being in the I-3-U(RC) District, to the CBD-2(RC) classification to provide for mixed use development, including professional offices.

Councillor Rhodes complimented the attorneys for the petitioner and the remonstrators in Proposal No. 154, 1995, Docket No. 94-Z-171, for working together on the rezoning of the northwest corner of Keystone and 62nd Street.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 70, 1995. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$330,000 for the Prosecuting Attorney, Marion County Public Defender Agency, and the County Auditor to fund the Expedited Trial Program which is a joint effort to reduce the population at the Marion County Jail financed by a state grant. Councillor Dowden asked for consent to postpone Proposal No. 70, 1995 until February 27, 1995. Consent was given.

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NOS. 19, 20 and 21, 1995. PROPOSAL NO. 19, 1995. The proposal reappoints Joe M. Rink to the Cable Franchise Board. PROPOSAL NO. 20, 1995. The proposal reappoints James E. Sawyers to the Cable Franchise Board. PROPOSAL NO. 21, 1995. The

proposal appoints Fredric A. Hunn to the Cable Franchise Board. Councillor Rhodes asked for consent to table Proposal Nos. 19, 20 and 21, 1995. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NOS. 389, 390, 391 and 392, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal Nos. 389, 390, 391 and 392, 1994 on December 6, 1994 and February 7, 1995. All four proposals were sponsored by Councillor Franklin.

PROPOSAL NO. 389, 1994. The proposal amends the Code by deleting certain regulations of business practices. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Franklin, for adoption. Proposal No. 389, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Schneider*

Proposal No. 389, 1994 was retitled GENERAL ORDINANCE NO. 18, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 18, 1995

A GENERAL ORDINANCE deleting Article III and Section 17-934 of Article XXVI of the Code of Indianapolis and Marion County, Indiana regarding prohibited business practices and the licensure of shooting galleries and shuffleboard tables.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sections 17-84 through 95 of the Code of Indianapolis and Marion County, Indiana, are hereby deleted as follows:

ARTICLE III. BUSINESS PRACTICES

Sec. 17-84. ~~Misrepresentation of distress sales.~~

~~Any person advertising by newspaper, radio, television, poster, handbill or otherwise, representing that he is operating offering or maintaining "fire sales," "wreck sales," "bankrupt sales," "closing out sales," "going out of business sales," and any similar sales, however named, whereby the public is led to believe that they are being offered merchandise at reduced rates on account of fires, wrecks, bankruptcies, the closing out or discontinuance of business, when in fact said sales are not bona fide, but are false and fraudulent and are intended to deceive buyers, and the advertisement and representations are known to be untrue and false, shall be charged with an offense for such deceit and unfair dealing and of a breach of orderly and proper conduct. (Code 1951, § 10-801)~~

Sec. 17-85. ~~Unlawful to sell undamaged goods or to add to stocks at distress sales.~~

~~It shall be unlawful for any person conducting any sale, whether by auction or otherwise, of any goods, s=wares or merchandise which are or have been, or which are claimed to have been, in or damaged by a fire or water, or are claimed to have been purchased and are being sold on account of any fire or water damage thereto, or which are claimed to be or have been the property of any bankrupt or person who has failed in business, or~~

has made a general assignment, or which are being sold or offered for sale in any other way than through the usual and regular channels of trade, to sell or offer for sale thereat any goods, wares or merchandise not so described, affected or damaged, or to add to or to permit to be added to, or to bring into or permit to be brought into, any store, warehouse or other building in the city, any goods or articles for the purpose of adding to the goods, wares or merchandise so described or affected and on hand in any such store, warehouse or other building for the purpose of being sold at such a sale. (Code 1951, § 10-802)

Sec. 17-86. False representation of quality or cost of merchandise—offered for sale.

It shall be unlawful for any person falsely to represent, by advertisement or otherwise, that the goods, wares or merchandise which such person is offering for sale are of a certain brand or quality, or that the goods will be sold at a certain percentage of their cost price or value, and then sell goods, wares or merchandise of a brand or quality inferior to that of those so represented or advertised; or to sell such goods, wares or merchandise at a higher percentage of their cost value than that represented or advertised. (Code 1951, § 10-803)

Sec. 17-87. False representation of quality of services or—materials offered for sale.

It shall be unlawful for any person engaged in any business which includes the furnishing of services and materials in connection therewith to represent falsely, by advertisement or otherwise, that any services or material, or process involving the furnishing of services or material, or both services and material, which such person offers for sale are of a certain brand or quality and of a standard recognized in such trade or business, and then with intent to defraud, furnish services or materials of a brand or quality inferior to that or those so represented or advertised. (Code 1951, § 10-804)

Sec. 17-88. Sale of medicines.

It shall be unlawful for any person to peddle or sell on the streets, in public places or from any vehicle or temporary stand in any place within the city any medicine, drug, liniment, preparation, material or article represented to be usable for medicinal purposes. Any medicine, drug, liniment, preparation, material or article usable for medicinal purposes and sold within the city shall be sold only from stores or regularly established places of business operated for such purposes and subject to the supervision of the health and hospital corporation or the state health authorities, and in compliance with state law regulating such matters. (Code 1951, § 10-805)

Sec. 17-89. Unlawful distribution of samples.

It shall be unlawful for any person to distribute free, for advertising purposes, any drugs, patent medicines, chemicals, narcotics, sex exciting substances or articles, intoxicating liquors or compounds, or samples thereof, except to merchants, dentists, and physicians who are duly qualified by law to receive such samples. (Code 1951, § 10-807)

Sec. 17-90. Sale of sneezing or itch powder or stink bombs.

It shall be unlawful for any person to sell in this city to any person under the age of twenty-one (21) years any sneezing powder, itch powder or stink bombs. (Code 1951, § 10-806)

Sec. 17-91. Conduct of business interfering with public travel.

No person shall so conduct any business enterprise, store or place of business of any kind upon or near the sidewalk, within the limits of any public street or place, as to obstruct its use for traffic by using the public way for soliciting customers or trade, by calling out or "barking" or "spieling" for business, or by taking hold of any passerby and undertaking to persuade or force him into such store or place of business, or who does any act similar to those mentioned and for the purposes named. (Code 1951, § 10-809)

Sec. 17-92. Soliciting business on street or sidewalk.

Except as otherwise provided and permitted by license or this chapter, it shall be unlawful for any person, by himself or by an employee or agent, to solicit trade or custom for any business, profession or calling upon any street or public place, by any outcry or other personal means, or to solicit the trade of any person passing any such place of business operated by him in this city; provided, however, the provisions of this section shall not apply to the owners or drivers of taxicabs or to persons selling newspapers, or to those licensed to peddle or hawk. (Code 1951, § 10-814)

Sec. 17-93. When representation as to dealer's qualifications — required.

(a) It shall be unlawful for any person, or any employee thereof, who is engaged in the business of selling goods, wares, merchandise, securities or real estate, to advertise or cause to be advertised, directly or indirectly, the sale thereof, unless it shall be stated in the advertisement, clearly and unequivocally, that said person so advertising the sale of goods, wares, merchandise, securities or real estate is a duly authorized dealer thereof; provided, however, the advertisement of the sale of any goods, wares, merchandise, securities or real estate in such a form as to make it plainly apparent therefrom that the person so advertising is actually and regularly engaged in selling such goods, wares, merchandise, securities or real estate as a business shall be deemed a sufficient compliance with the terms of this section.

(b) Any person, or any employee thereof, who shall conduct, operate or transact a business, or cause it to be conducted, operated or transacted, to the extent of showing and displaying in, and representing the delivery of, merchandise, goods, wares, securities or real estate at or from any dwelling house, apartment, flat or other place of human abode, shall display or cause to be displayed at all times printed or painted signs which shall state or otherwise clearly and unequivocally indicate that such person is a dealer in such goods, wares, merchandise, securities or real estate, and shall display the sign both at the entrance to and within that part of every such dwelling house, apartment, flat or other place of human abode where the business is conducted, operated or transacted; provided, however, the sign erected, placed or hung on the exterior of the structure shall contain not less than nine (9) square feet of area, and shall not be erected, placed or hung until a proper permit therefor has first been obtained from the city controller, after application therefor to the division of buildings. (Code 1951, §§ 10-810, 10-811)

Sec. 17-94. Noxious businesses and trades

(a) It shall be unlawful for any person, except as expressly authorized by this Code or other ordinance, to establish or attempt to establish any of the following businesses:

- (1) Slaughterhouse;
- (2) Tallow chandlery;
- (3) Soap factory;
- (4) Starch factory;
- (5) Glue factory;
- (6) Tannery;
- (7) Foundry;
- (8) Brewery;
- (9) Bone factory;
- (10) Distillery;
- (11) Fertilizer factory;

(b) It shall be unlawful for any person to erect, continue, use or maintain, or permit to be erected, continued, used or maintained, in any place or upon any premises owned, controlled or operated by him any condition, trade, employment or business which is either unlawful, or injurious to health, or indecent, or offensive to the senses, or an obstruction to the free use of property, so as to essentially interfere with the comfortable enjoyment of life or property. (Code 1951, §§ 10-812, 10-813)

Sec. 17-95. Quantities for the sale of foods.

(a) All vegetables or fruits and products thereof, butter, cheese and other similar dairy products sold or offered for sale by any person, except fresh berries, cherries, currants, grapes, and other small fruits, in the absence of a contract or agreement in writing to the contrary signed by the parties thereto, shall be sold only by standard avoirdupois net weight, or by numerical count.

(b) Seeds, grain, flour, meal and cereals or cereal products; vegetable roots, such as onions, radishes, celery and similar vegetable roots which, by common custom, are sold in this city by the bunch; and commodities in original packages, except fresh berries, cherries, currants, grapes and other small fruits, as otherwise provided in this section; shall not be included in the provisions of subsection (a).

(c) All berries, cherries, currants, grapes and other small fruits sold or offered for sale by any person, in the absence of a special agreement in writing signed by the parties thereto to the contrary, shall be sold, if in bulk, by standard avoirdupois net weight, or in uniform size baskets, boxes or other receptacles containing one (1) quart or one (1) pint, standard dry measure, or any multiple thereof, and in no other way. Such receptacles

~~shall be uniformly and evenly filled throughout with substantially uniform and good quality fruit. Such containers shall be subject to inspection as follows:~~

- ~~(1) The baskets, boxes or other receptacles in which or out of which berries, cherries, currants, grapes and other small fruits are sold or offered for sale, as authorized by this subsection, shall not be required to be tested and sealed, but the inspector of weights and measures, or any of his deputies, may at any time test the capacity of the baskets, boxes or other receptacles in which or out of which such fruits are sold or offered for sale.~~
- ~~(2) If any basket, box or other receptacle is found to be of a capacity less than that represented, it may be taken, condemned and destroyed by the inspector of weights and measures, or his deputies, in the same way that other measures are taken, condemned or destroyed, and the seller shall be guilty of a violation of this chapter. (Code 1951, §§ 10-815-10-817)~~

SECTION 2. Section 17-934 of Article XXVI of the Code of Indianapolis and Marion County, Indiana, is hereby deleted as follows:

ARTICLE XXVI. MISCELLANEOUS BUSINESSES

Sec. 17-934. ~~Shooting galleries and shuffleboard tables.~~

~~(a) It shall be unlawful for any person to own, operate or maintain for profit a shooting gallery or shuffleboard table without first having obtained a license therefor from the controller.~~

~~(b) The annual fee for a license required by subsection (a) shall be fifty dollars (\$50.00) per gallery and ten dollars (\$10.00) per shuffleboard table. (Code 1970, §§ 7-2309, 7-2310; G.O. 80, 1970)~~

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 390, 1994. The proposal recodifies and amends the Code concerning hotels and places of public lodging. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Franklin, for adoption. Proposal No. 390, 1994, as amended, was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT VOTING: Giffin

Proposal No. 390, 1994, as amended, was retitled GENERAL ORDINANCE NO. 19, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 19, 1995

A GENERAL ORDINANCE recodifying and amending Article X of Chapter 17 of the Code as a new Chapter concerning hotels and places of public lodging.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby, amended to add a NEW Chapter 901 (which is a revision and recodification of Article X of Chapter 17 of the Code of Indianapolis and Marion County that deletes the stricken-through text and inserts the underlined text) as follows:

CHAPTER 901. HOTELS AND PLACES OF PUBLIC LODGING

Sec. ~~17-323~~ 901-1. Defined.

For the purposes of this ~~Article~~ Chapter, the term "hotel," ~~"motel," "lodging" or "rooming house"~~ shall mean all places and rooms where the general public is furnished lodging, either regularly or occasionally, for private profit.

Sec. 901-2. Inspections.

All hotels shall be subject, on demand, to health, building and fire safety inspections by all governmental agencies having jurisdiction over the geographical area in which the hotel is located.

Sec. ~~17-324~~ 901.3. License required; renewal.

(a) It shall be unlawful for any person to maintain a hotel, ~~motel, lodging or rooming house~~ in the city without first procuring a license therefor from the controller. There shall be no fee for this license.

(b) Each license issued pursuant to this section shall be renewed automatically by the controller and without application for renewal by the licensee, unless the license at the time of renewal has been revoked or suspended, or is the subject of administrative or judicial proceedings which have the potential to result in the revocation or suspension of the license.

~~Sec. 17-325. License fee.~~

~~The annual fee for a license required by this article for each hotel and lodging or rooming house containing five (5) to twenty-five (25) rooms inclusive, shall be five dollars (\$5.00) per room; those containing twenty-six (26) to ninety-nine (99) rooms inclusive, shall pay a total license fee of two hundred dollars (\$200.00); and the total license fee for any hotel and lodging or rooming house containing one hundred (100) rooms or more shall be five hundred dollars (\$500.00).~~

Sec. ~~17-326~~ 901-4. Duty to keep register.

Any person owning, operating or managing any hotel, ~~lodging or rooming house~~ shall keep and preserve a daily register in which the name of each guest receiving lodging shall be inscribed by or for the guest, which register may be inspected a permanent record of each guest receiving lodging, which record shall be made available upon demand for inspection by any police officer.

~~Sec. 17-327. Entering bedroom for unlawful purpose.~~

~~(a) It shall be unlawful for any male person, with the intent to commit an unlawful act, to enter or be present in the bedroom of any hotel, motel or lodging or rooming house with a female person generally known or reputed to be a prostitute.~~

~~(b) It shall be unlawful for any female person, generally known or reputed to be a prostitute, to enter a bedroom in a hotel, motel or lodging or rooming house for any unlawful purpose.~~

~~(c) It shall be unlawful for any owner, lessee, employee or person in charge of any hotel, motel or lodging or rooming house to knowingly permit the violation of subsection (a) or (b).~~

~~(d) For the purposes of this section, it shall be prima facie evidence of the intent to enter a bedroom of a hotel, motel or lodging or rooming house to commit an unlawful act if the party charged with the violation is not married to the person with whom the room is entered or occupied.~~

SECTION 2. Article X of Chapter 17 of the Code of Indianapolis and Marion County, Indiana, is hereby superseded and repealed as of the effective date of this ordinance.

SECTION 3. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 391, 1994. The proposal amends the Revised Code by making certain changes in the regulation of adult entertainment establishments. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Franklin, for adoption. Proposal No. 391, 1994, as amended, was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
1 NAY: *Gray*

Proposal No. 391, 1994, as amended, was retitled GENERAL ORDINANCE NO. 20, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 20, 1995

A GENERAL ORDINANCE adding Chapter 807 to the Revised Code of the Consolidated City and County and making certain changes in the regulation of adult entertainment establishments.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Title IV of the Revised Code of the Consolidated City and County is hereby amended by adding a new Chapter 807 to read as follows:

CHAPTER 807. ADULT ENTERTAINMENT ESTABLISHMENTS
ARTICLE I. DEFINITIONS

Sec. 807-1. Adult bookstore.

An establishment having as a preponderance of its stock in trade or its dollar volume in trade, books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, tapes, records or other forms of visual or audio representations which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

Sec. 807-2. Adult cabaret.

A nightclub, bar, theater, restaurant or similar establishment which frequently features live performances by topless or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas or which regularly feature films, motion pictures, video cassettes, slides or other photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons.

Sec. 807-3. Adult drive-in theatre.

An open lot or part thereof, with appurtenant facilities, devoted primarily to the presentation of motion pictures, films, theatrical productions, and other forms of visual productions, for any form of consideration, to persons in motor vehicles or on outdoor seats in which a preponderance of the total presentation time is devoted to the showing of materials distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.

Sec. 807-4. Adult entertainment business.

An adult bookstore, adult motion picture theatre, adult mini motion picture theatre, adult motion picture arcade, adult cabaret, adult drive-in theater, adult live entertainment arcade, adult motel, or adult services establishment, which is not operating under a valid Indiana Alcoholic Beverage Commission permit for retail sales of wine, beer or liquor for on premises consumption.

Sec. 807-5. Adult live entertainment arcade.

Any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee to view from an enclosed or screened area or booth a series of live dance routines, strip performances or other gyrational choreography which performances are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas.

Sec. 807-6. Adult mini motion picture theatre.

An enclosed building with a capacity of more than five (5) but less than fifty (50) persons, used for presenting films, motion pictures, video cassettes, slides or similar photographic reproductions in which a preponderance of the total presentation time is devoted to the showing of materials which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

Sec. 807-7. Adult motel.

A hotel, motel or similar establishment offering public accommodations for any form of consideration which provides patrons, upon request, with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

Sec. 807-8. Adult motion picture arcade.

Any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

Sec. 807-9. Adult motion picture theater.

An enclosed building with a capacity of fifty (50) or more persons used for presenting films, motion pictures, video cassettes, slides or similar photographic reproductions in which a preponderance of the total presentation time is devoted to showing of materials which are distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

Sec. 807-10. Adult service establishment.

Any building, premises, structure or other facility, or any part thereof, under common ownership or control which provides a preponderance of services involving specified sexual activities or display of specified anatomical areas.

Sec. 807-11. Specified anatomical areas.

Any of the following:

- (1) less than completely and opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areolae or
- (2) human male genitals in a discernible turgid state, even if completely and opaquely covered.

Sec. 807-12. Specified sexual activities.

Any of the following:

- (1) human genitals in a state of sexual stimulation or arousal;
- (2) acts of human masturbation, sexual intercourse or sodomy;
- (3) fondling or other erotic touchings of human genitals, pubic regions, buttocks or female breasts;
- (4) flagellation or torture in the context of a sexual relationship;
- (5) masochism, erotic or sexually oriented torture, beating or the infliction of pain;
- (6) erotic touching, fondling or other such contact with an animal by a human being; or
- (7) human excretion, urination, menstruation, vaginal or anal irrigation as part of or in connection with any of the activities set forth in "a" through "f" above.

ARTICLE II. LICENSURE

Sec. 807-21. License required.

It shall be unlawful for any person to maintain or operate an adult entertainment business in the city without first obtaining a license therefor.

Sec. 807-22. License fee.

The annual license fee shall be for the period of January first to December thirty-first and shall be seventy-five dollars (\$75.00) for each business location, each stage, each motion picture or video screen, each closed circuit television and each motion picture or video screen, projector or other image-producing device. The maximum amount to be charged under this section for each business location shall be three thousand dollars (\$3,000.00).

Sec. 807-23. Application for license.

All applications for licenses shall be made to the controller. The application for a license required by this article shall state, under oath, the following:

- (1) Name and address of the applicant;
- (2) The name and address of the business;
- (3) Telephone number of the applicant;
- (4) The state of incorporation (where applicable);
- (5) The names of partners or corporate officers and their home addresses (where applicable);
- (6) The names of all creditors of the applicant;
- (7) The resident agent and principal office of the corporation (where applicable);
- (8) The length of time the business has been in Indianapolis;
- (9) Any previous location or location change of the business within two (2) years;
- (10) The applicant's citizenship;
- (11) Whether or not the applicant or any partner or corporate officer of the applicant business has ever been denied a license, had a license revoked or suspended;

- (12) Whether or not the applicant or any partner or corporate officer of the applicant business has been arrested or convicted of a felony, misdemeanor or ordinance violation other than a minor traffic charge;
- (13) Whether all city, county and state taxes have been paid;
- (14) The seating capacity of the establishment;
- (15) The number of business locations, stages, motion picture or video screens, closed circuit televisions and motion picture or video screens, projectors or other image-producing devices.

Sec. 807-24. Investigation.

Within thirty (30) days after receiving the application, the city license administrator shall notify the applicant that the application is granted or recommended for denial to the city controller, or held for further investigation. Such further investigation shall not exceed an additional thirty (30) days unless there are extenuating circumstances, in which case the controller shall give written notice of the extenuating circumstances to the applicant. The controller shall advise the applicant in writing after the extenuating circumstances have been satisfied, whether the application is granted or recommended to the city controller for denial.

Sec. 807-25. Grounds for denial.

A license may be denied if the applicant:

- (1) Where applicable, is not a corporation organized by law or authorized and qualified to do business in the state;
- (2) Knowingly permits any illegal conduct or practice to take place on his premises or in the conduct of this business; or
- (3) Fails to certify by affidavit that the business premises will not be used for illegal purposes.
- (4) Has previously evaded the licensing provisions of this Code.

Sec. 807-26. Grounds for suspension or revocation.

A license granted under this article may be suspended or revoked if the licensee:

- (1) Conducts the business or maintains the premises in such a manner as to create a nuisance to the public;
- (2) Knowingly permits illegal conduct to take place on the premises or in the conduct of the business; or
- (3) Violates section 807-28 or 807-29 of this Code.

ARTICLE III. REGULATIONS

Sec. 807-27. Adult live entertainment arcade.

(a) It shall be unlawful to own or operate an adult live entertainment arcade which has individual booths, unless the booth meets the following requirements:

- (1) Each booth shall have a rectangular shaped entranceway of not less than two (2) feet wide and six (6) feet high.
- (2) There shall be no door, curtain or other obstruction blocking or closing off such entranceway so as to obstruct the visibility of a patron twenty-four (24) inches from the floor of the booth.

(b) It shall be unlawful for a patron to be present in a booth in an adult entertainment arcade unless this patron is visible from twenty-four (24) inches from the floor of the booth.

(c) It shall be unlawful for any owner to ~~sue~~ use or allow to be used a booth in an adult live entertainment arcade which does not meet the requirements as set out in subsection (a).

(d) In addition to such other penalties as are provided in this Code, violation of this section shall be sufficient grounds for revocation of a license held under this article.

Sec. 807-28. Operation.

(a) An adult entertainment establishment shall be kept in a sanitary condition at all times. As a condition of licensure under this chapter, the controller or controller's designee shall have the right to enter any licensed premises at any time without notice to insure compliance with this chapter. The controller shall have the power to determine if such establishment is in a sanitary condition. For such purpose, the controller shall have, upon demand, the assistance of the administrator of the division of development services and the health and hospital corporation of Marion County. If the controller shall determine, after investigation by the division of development services or the health and hospital corporation of Marion County, that an unsanitary condition exists within an adult entertainment establishment, the controller shall suspend the establishment license for such premises until such unsanitary condition is rectified.

(b) No licensee under this article, or his employee, shall permit persons to congregate in a disturbing manner within said licensed establishment or on parking areas or other property immediately adjacent to or normally used for purposes of parking for the establishment, which property is under the control of the establishment owner or owners or their lessee or lessor. A violation of this provision shall be sufficient grounds for the revocation of the license by the controller.

(c) No licensee under this article, or his employee, shall violate any state statute or city ordinance, or allow any other person to commit such a violation, within said establishment or on parking areas or other property immediately adjacent to or normally used for purposes of parking for said establishment, which property is under the control of the establishment owner or owners or their lessee or lessor. A violation of this provision shall be sufficient grounds for the revocation of the license by the controller.

SECTION 2. Secs. 17-397 through 17-406 and 17-841 through 17-860 of the Code of Indianapolis and Marion County are hereby repealed.

SECTION 3. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 392, 1994. The proposal amends the Code concerning the regulation of pawnbrokers and dealers in secondhand merchandise. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Franklin, for adoption. Proposal No. 392, 1994, as amended, was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

Councillor Franklin thanked the members of the Administration and Finance Committee for taking the time to read all the information that was sent them concerning these four proposals. Councillor Franklin also recognized Terry Baker, Departmental Attorney, Office of Corporation Counsel, and voiced appreciation for his excellent work on these proposals.

Proposal No. 392, 1994, as amended, was retitled GENERAL ORDINANCE NO. 21, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 21, 1995

A GENERAL ORDINANCE recodifying and amending Article XIII and Article XIV of Chapter 17 of the Code of Indianapolis and Marion County, making certain changes in the regulation of pawnbrokers and dealers in secondhand merchandise.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby amended to add a NEW Chapter 951 (which is a revision and recodification of Article XIII and Article XIV of Chapter 17 of the Code of Indianapolis and Marion County that inserts the underlined text and deletes the cross-hatched text) to read as follows:

CHAPTER 951. PAWNBROKERS AND DEALERS IN SECONDHAND GOODS

ARTICLE ~~XIII~~. PAWNBROKERS

Sec. ~~17-431~~ 951-101. Definitions.

For the purpose of this article the following terms shall mean:

(a) Pawnbroker:

~~(1) Any person who as a part of his regular business loans money on the deposit or pledge of any personal property or thing of value, on the condition of redelivering or selling the article back again at the stipulated price.~~

~~(2) Any person who shall pay cash advances on the consignment of merchandise to be sold.~~

~~(3) Any person who as a part of his regular business practice shall buy pawn tickets from individuals so as to redeem and resell that merchandise.~~

~~(4) Any person who shall as a part of his regular business renegotiate pawn loans between individuals and other pawnbrokers.~~

"Pawnbroker" means any person, partnership, association, or corporation who lends money on the deposit or pledge of personal property, or who deals in the purchase of personal property on the condition of selling the property back again at a stipulated price, other than choses in action, securities, or printed evidence of indebtedness.

~~(b) Customer:~~

~~(1) Any person who as a part of his regular business deposits or pledges any personal property or thing of value with a license, on condition of obtaining or recovering the property back again at a stipulated price, or any person who applies for sale or sells any personal property or thing of value to a licensee.~~

~~(2) Any person who shall be paid an advance on the consignment of any merchandise to be sold by a licensee.~~

~~(3) Any person who shall sell pawn tickets to a licensee so that the licensee may redeem and resell that merchandise.~~

~~(4) Any person who shall renegotiate, with a licensee, a pawn loan between themselves and other licensee.~~

(b) Pledge:

"Pledge" means personal property deposited with a pawnbroker as security for a loan.

(c) Transaction:

- (1) ~~Any sale, loan, pledge or deposit of any personal property or thing of value between a customer and a licensee as a part of the licensee's regular business.~~
- (2) ~~Any advance payment on the consignment of any merchandise between a customer and a licensee.~~
- (3) ~~Any sale of pawn tickets by a customer to a licensee for the purposes of redemption and resale of the pawned merchandise.~~
- (4) ~~Any renegotiation of a pawn loan by a customer and a licensee of a pawn loan between said customer and any other licensed pawnbroker.~~

(c) Pledger:

"Pledger" means the person who delivers personal property into the possession of a pawnbroker as security for a loan unless such person discloses that the person is or was acting for another; and in such event "pledger" means the disclosed principal.

(d) Person:

"Person" means an individual, a firm, an association, a limited liability company, a partnership, a joint stock association, a trust, or a corporation or any other entity capable of suing or being sued.

Sec. 17-432 951-102. License required.

It shall be unlawful for any person to engage in the business of pawnbroker without first obtaining a license therefor from the controller. In order to sell secondhand goods, it is not required that a pawnbroker also obtain a license to be a dealer in second hand goods for the pawnbroker's licensed business location.

Sec. 17-433 951-103. Application for license.

~~All applicants for licenses shall first furnish to the controller evidence of compliance with the requirements of section 17-434. Such evidence shall be in the form of a three (3) inch by five (5) inch photograph in which the installation of the device required by section 17-434 is clearly visible and identifiable, in addition to such other written information as the controller, in his discretion, may require. All applications for licenses shall be supported by affidavits of at least three (3) resident freeholders of the city stating that the applicant is of good moral character.~~

All applicants shall, as a condition for the granting of a license and on a portion of the application provided by the city controller, agree that in the event the applicant as licensee receives merchandise personal property of any kind which is stolen, he claims no right, title or interest in or to said merchandise personal property, and that upon request by any law enforcement officers having jurisdiction over the location of his place of business, he will voluntarily surrender said merchandise personal property to the possession of that law enforcement agency when given a receipt for the same.

Sec. 17-434. ~~Photographic recording devices; photograph required.~~

~~All licensees and applicants for licenses under this article shall install, and all licensees shall operate or cause to be operated in the regular course of business, photographic recording devices for use in recording the photograph of the following three (3) items:~~

- (1) ~~The customer,~~
- (2) ~~The customer's social security, driver's license or other identification, and~~
- (3) ~~The card record required by section 17-438.~~

~~Such devices shall be maintained in good operating condition and be mounted in such a manner as to take a full front photograph of the head and shoulders of each customer as he completes each transaction, and a simultaneous photograph of items (2) and (3) above. The licensee shall furnish sufficient lighting to insure that the photographic image is identifiable. No licensee shall accept any article as collateral security or for purchase~~

unless he shall make a photograph, as provided in this article, of the person from whom the article is being received, his identification and police card records.

~~Sec. 17-435. Specifications for photographic recording devices.~~

~~All devices installed by applicants and licensees under this article, pursuant to the requirements of section 17-434, shall meet the following specifications: one dual lens, pre-focused, permanently mounted camera which provides simultaneous, sixteen (16) millimeter single frame photographs of both a person standing before the horizontal lens and a document and/or article placed on a copyboard beneath the vertical lens.~~

~~Sec. 17-435-1 951-104. License fees.~~

The annual fee for a license required by this article shall be two hundred dollars (\$200.00) for each place of business of the licensee.

~~Sec. 17-436 951-105. Unlawful purchases.~~

It shall be unlawful for any licensee under this article to receive any articles in the course of his business from any person who is in an intoxicated condition, a minor or who is known or suspected by him to have acquired and be disposing of such articles unlawfully.

~~Sec. 17-437 951-106. Record book to be kept.~~

(a) Every licensee under this article shall keep and preserve a record book in which shall be legibly written in ink an accurate description in the English language of all articles pawned and the amount of money loaned thereon; the time of the transaction; the name, address, telephone number, age, color, height, weight, complexion, style of beard or mustache, any visible distinctive marks or conditions, style of dress of the person pawning the articles; and the number of the pawn ticket issued therefor. ~~Every licensee under this article shall keep, in addition to the ledger records required by this section, records of each customer and each article taken of the person and of the documents as required by section 17-434, which records shall be accessible by name of the person pawning or selling the article, by the article type, and by the photograph control number.~~

(b) The record book required to be kept by subsection (a) shall be open to inspection at all reasonable times by the police or the controller.

(c) In addition to the above records, every licensee under this article shall provide a list of serialized articles that has been acquired by transfers from any location other than the Consolidated City and County to the local law enforcement agency having jurisdiction over the locations of the licensee's place of business no later than the next business day after the articles are received.

~~Sec. 17-438 951-107. Card record for police.~~

(a) In addition to the record book required by this article, all licensees under this article shall at the time of receiving any pawned articles fill out a three (3) inch by five (5) inch card one of the cards prescribed by this section for each article pawned. Each card shall contain the information required to be kept by licensees under this article, and the right thumb print of the person pawning or selling the article; if the right thumb is missing, any of the person's fingerprints may be used. The thumb print shall be made in the manner approved by the local law enforcement agency and shall not be blurred or obliterated. The licensees shall mail these cards to the local law enforcement agency having jurisdiction over the location of the licensee's place of business no later than the next business day after the item of personal property is received. The licensee shall fill out the front of each card in its entirety and the description of the customer on the back. The customer shall write in his own handwriting his name and address on the back of the card and place his right thumbprint in the space provided. If the right thumb is missing, any of the customer's fingerprints may be used. The thumbprint shall not be blurred or obliterated. All cards required by this section shall contain, in addition to such other information as is required by this section, the control number of the photograph required by section 17-434.

(b) The card record required by subsection (a) shall be of four (4) types, as follows:

(1) Blue cards for watches, which shall be in the following form:

"FOR WATCHES ONLY"

Men's or Women's JewelsMake Number of Watch Works

February 13, 1995

Size _____ Material Style _____ Number of Case _____

Initials and Incriptions

Purchase Price _____ Amount Loaned _____ Time Received _____ Date _____
A.M.P.M. _____, 19__

Dealer's Name _____

Location _____

Dealer's Ticket Number _____ Date Reported _____, 19__

(2) Yellow cards for jewelry, which shall be in the following form:

"FOR JEWELRY ONLY

ARTICLE _____ MATERIAL _____

Inscription, Etc. _____ Setting and Design _____

No. Kind Size

Purchase Price _____ Amount Loaned _____ Time Received _____ Date _____
A.M.P.M. _____, 19__

Dealer's Name _____

Location _____

Date Reported _____

Dealer's Ticket Number _____

(3) Pink cards for clothing, which shall be in the following form:

"CLOTHING ONLY

Article _____ Color _____

Maker's Name _____ Material _____

Initials, Name and Cleaner's Mark _____ Size _____

Purchase Price _____ Amount Loaned _____ Time Received _____ Date _____
A.M.P.M. _____, 19__

Dealer's Name _____

Location _____

Dealer's Ticket _____ Date Reported _____, 19__

(4) White Cards for miscellaneous articles, which shall be in the following form:

"MISCELLANEOUS ARTICLES

Article _____ Serial No. _____

Maker's Name _____ Color, Style, Design _____

Marks and Further Description _____

Purchase Price _____ Amount Loaned _____ Time Received _____ Date _____
A.M.P.M. _____, 19__

Dealer's Name _____

Location _____

Dealer's Ticket Number _____ Date Reported _____, 19__

(Additional descriptions may be attached thereto.)

All exposed frames of sixteen (16) millimeter film containing photographs of persons selling or pledging articles taken during each business day as required by this article, shall be kept as official records on file by control number by the licensee for at least ninety (90) days at his place of business and such records shall be available at any time to officers of the law enforcement agency having jurisdiction over the licensee's place of business, and shall be given to said law enforcement agency upon request.

~~(c) The back side of each of the cards prescribed by this subsection (b) shall be in the following form:~~

"Signature _____
Address _____
Description of Customer ~~To be filled out by the dealer~~ _____
Sex _____ Age _____ Height _____ ft. _____ in. Weight about _____ lbs.
Race or Nationality _____
Clothing _____
Complexion _____ Right Thumbprint"

~~(d) Before the hour of 12:00 noon of each day, each licensee under this article shall deliver all of the cards filled out on the previous business day, pursuant to the requirements of this section, to the chief of police.~~

Sec. 17-439 951-108. Retention of acquired personal property.

All personal property received by a licensee under this article shall be held intact by the licensee for at least seven (7) business days after the ~~card record required by this article is delivered to the chief of police~~ licensee has mailed a copy of the record required to be maintained under state law, which details the item of personal property received, to the local law enforcement agency having jurisdiction over the location of his place of business. Whenever any licensee receives written notice, either from the ~~police department~~ local law enforcement agency or from an individual, that someone is maintaining a claim of right to possession of the personal property adverse to the licensee, the licensee shall keep the personal property in his possession for thirty (30) days or turn it over to the police local law enforcement agency if so required by the ~~chief of police~~ local law enforcement agency. Once notice of an adverse claim to the article has been given under this section, the article shall be held for thirty (30) days, during which legal proceedings may be commenced to determine who is entitled to the property. If the matter is not settled or legal proceedings have not been commenced within thirty (30) days, the property shall be returned to the pawnbroker by the local law enforcement agency if held by them.

Sec. 17-440 951-109. Serial numbers required.

No pawnbroker shall accept as collateral security or for purchase any property of the type given manufacturer's serial numbers or other identifying insignia unless such property shall have plainly visible thereon the manufacturer's serial number or other identifying insignia.

~~Sec. 17-441. Violations, penalty.~~

~~Any licensee under this article who violates one or more of the provisions of this article shall be guilty of a misdemeanor, and upon conviction shall be fined not more than five hundred dollars (\$500.00) for each such violation. The city controller shall have the power and authority to revoke any license granted under this article for any violation by a licensee of any provision or condition contained in this article. Such revocation shall occur only after due notice in writing and opportunity for hearing before the controller or his designee have been afforded the licensee.~~

Sec. 17-442 951-110. Severability.

If any section, sentence, clause, word or other provision of this article, or any ordinance amendatory thereof or supplemental thereto, shall be held invalid, such fact shall not affect the validity of any other section, sentence, clause, word or other provision herein, which may be severable therefrom and be valid and capable of reasonable effect and application without such invalid portions, and to this end all such portions of this article are declared severable and shall be so construed whenever possible to do so.

~~Sec. 17-443. Confidentiality of photographs.~~

~~All photographs taken in accordance with the provisions of section 17-434 shall be restricted, with respect to the access to such photographs and the use thereof, to law enforcement personnel for the purpose of investigations involving wanted persons and stolen property. Any use of said photographs by or for private individuals or other commercial concerns is expressly prohibited.~~

ARTICLE XIV II. DEALERS IN SECONDHAND GOODS; GARAGE SALES

Sec. 17-454 951-201. License required; ~~a~~Applicability.

~~It shall be unlawful for any person to engage in the business of buying, selling or in any way dealing with used goods of any kind without first obtaining a secondhand dealer's license therefor from the controller. Provided that, this article shall not apply to retailers who primarily sell unused goods who in the course of selling such unused goods occasionally receive used goods as partial consideration for the sale of such unused goods, and dispose of the same by sale or otherwise.~~

~~Sec. 17-455. Application for license.~~

~~(a) All applications for licenses required by this article shall be submitted on forms provided by the controller and applicant shall provide all information requested thereon.~~

~~(b) There shall be four (4) classes of secondhand dealers' licenses, as follows:~~

- ~~(1) Regular: A regular secondhand dealer's license may be granted to any person who sells or intends to sell secondhand goods from a fixed location for period exceeding fifteen (15) consecutive days in a calendar year.~~
- ~~(2) Transient: A transient secondhand dealer's license may be granted to any person who sells or intends to sell secondhand goods from various locations for a period not exceeding fifteen (15) consecutive days at any one specific location. Such license shall only be issued for, and valid at a locations where, a person has been issued a "group" permit as defined herein, and such group permittee has sponsored the transient applicant.~~
- ~~(3) Group: A group secondhand dealer's license may be granted to any person who sponsors a used goods show at any one location for a period not exceeding fifteen (15) consecutive days. Such group permittee shall be required to set out the names and addresses of each person the group applicant will allow to participate in the used goods show and such group applicant will be required to obtain a transient dealer's license for those persons that do not hold one. A transient dealer's license is required of each person other than the group licensee who participates in the used goods show.~~
- ~~(4) Antique: An "antique dealer" designation may be given any of the above three (3) classes of secondhand dealer's licenses upon the request of the applicant, who satisfactorily shows that he predominantly deals in what is commonly known as antiques or works of art; and the controller, in his discretion may make such special designation upon payment of an additional fee (to that required for such secondhand dealer's license) of twenty five dollars (\$25.00).~~

~~(c) Any person may apply for, and hold, more than one class of secondhand dealer's license at a time; provided that, the issuance of one class of license shall not entitle an applicant to another class of license.~~

~~Sec. 17-456. License fees.~~

~~The annual fee for a license required by this article shall be fifteen dollars (\$15.00) for each place of business of the licensee.~~

~~Sec. 17-457 951-202. Unlawful Purchases.~~

~~It shall be unlawful for any licensee dealer in secondhand goods to receive any articles in the course of his business from any person who is in an intoxicated condition, a minor or who is known or suspected by him to have acquired and be disposing of such articles unlawfully.~~

~~Sec. 17-458 951-203. Record book to be kept.~~

~~(a) Every licensee dealer in secondhand goods under this article who deals in firearms, jewelry, electronic items or equipment, tools, or any item originally marked with a serial number shall keep a record book in which shall be legibly written in ink in the English language at the time of receiving any goods the following: An accurate description of the article received; the amount of money paid for it; the exact time of the transaction; and the name, residence, address, telephone number, age, color, height, weight, complexion, style of beard or mustache, any visible distinguishing marks, style of dress, and number of any license badge of the person delivering the goods to the licensee dealer in secondhand goods.~~

~~(b) The record book required to be kept by subsection (a) shall be open to inspection at all reasonable times by the police or the controller.~~

Sec. ~~17-459~~ 951-204. Card record for police.

(a) In addition to the record book required by this article, all ~~licensees~~ dealers in secondhand goods under this article who deal in firearms, jewelry, electronic items or equipment, tools, or any item originally marked with a serial number shall fill out one of the cards prescribed by subsection (b) for each article of firearm, jewelry, electronic items or equipment, tools, or other item originally marked with a serial number received. The ~~licensee~~ dealer in secondhand goods shall fill out the front of each card in its entirety and the description of the customer on the back. The customer shall write in his own handwriting his name and address on the back of the card and place his right thumbprint in the space provided. If the right thumb is missing, any of the customer's fingerprints may be used. The thumbprint shall be made in the manner approved by the ~~police~~ local law enforcement agency and shall not be blurred or obliterated.

(b) The cards required by subsection (a) which are to be filled out shall be in the following form:

"REPORT OF SECONDHAND PROPERTY RECEIVED	
Article _____	Serial No. _____
Maker's Name _____	Color, Style, Design _____
Marks and Further Description _____	
Purchase Price _____	
Dealer's Name _____	
Location _____	
Dealer's License No. _____ Date Reported _____, 19__	

(c) The back side of the card prescribed by subsection (b) shall be in the following form:

"Signature _____
Address _____
Description of Customer--To be filled out by dealer _____
Sex ____ Age ____ Height ____ ft. ____ in. Weight ____ lbs.
Race or Nationality _____
Clothing _____
Complexion _____ Right Thumbprint"

(d) ~~Before the hour of 12:00 noon of each Friday, each licensee under this article shall deliver all of the cards filled out in the previous business week, pursuant to the requirement of this section, to the chief of police. These cards shall be mailed by the dealer in secondhand goods to the local law enforcement agency no later than the next business day after the item of personal property is received.~~

Sec. ~~17-460~~ 951-205. Retention of acquired property.

All ~~property~~ firearms, jewelry, electronic items and equipment, tools, or other items originally marked with a serial number received by a ~~licensee~~ dealer in secondhand goods under this article shall be held intact by the ~~licensee~~ dealer in secondhand goods for ~~at least ten (10) days~~ seven (7) business days after the dealer in secondhand goods has mailed the card to the local law enforcement agency as required by this article is ~~purchased~~. Whenever any ~~licensee~~ dealer in secondhand goods receives written notice, either from the police department or from an individual, that someone is maintaining a claim of right to possession of the ~~property~~ firearm, jewelry, electronic items or equipment, tools, or other item originally marked with a serial number adverse to the ~~licensee~~ dealer, the ~~licensee~~ dealer shall keep the ~~property~~ article in his possession or turn it over to the ~~police~~ local law enforcement agency if so required by the ~~chief of police~~ local law enforcement agency. Once notice of an adverse claim to ~~property~~ the article has been given under this section, the ~~property~~ article shall be held for ~~a period of twenty (20) days~~ twenty (20) days, during which legal proceedings may be commenced to determine who is entitled to the property. If the matter is not settled or legal proceedings have not been commenced within ~~twenty (20) days~~ twenty (20) days, the property shall be returned to the ~~licensee~~ dealer in secondhand goods by the ~~police~~ local law enforcement agency if held by them, ~~and the licensee may dispose of the property as he sees fit.~~

Sec. ~~17-461~~ 951-206. Garage, patio and residence sales.

(a) Definitions.

- (1) A "garage sale" shall be defined as an advertised sale of used, tangible personal property, at a location which is zoned under the Dwelling Districts Zoning Ordinance of Marion County.
- (2) The term "advertised" shall mean any visible evidence that said property is being sold.
 - (b) Limitation on frequency. It shall be unlawful for any person to hold or allow to be held any garage sale at any such location, at any time: After two (2) garage sales have been held at said location in one calendar year.
 - (c) Limitation on length. It shall be unlawful for any person to hold or allow to be held any garage sale for more than three (3) consecutive days.
 - (d) Limitation and advertising. It shall be unlawful for any person who holds or allows to be held any garage sale to leave remain standing or posted any advertising of said sale in or on any public right-of-way.
 - (e) Restriction on items to be sold. It shall be unlawful to sell at a garage sale any goods or merchandise purchased for the purpose of resale.
 - (f) Penalty. Any person found guilty of violation of this section shall be fined as follows:
 - (1) Upon the first conviction \$50.00
 - (2) Upon the second conviction \$75.00
 - (3) Upon the third or subsequent convictions \$200.00
 - (g) Violations may be enjoined under state law. Violations of this section may be enjoined under the provisions of 18-1-1.5(C).

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

The President commended Councillor Franklin for the constructive and patient way in which he resolved these very complicated matters.

PROPOSAL NO. 1, 1995. Councillor Coughenour stated that since she was absent at the January 26, 1995 Public Works Committee meeting, Councillor Rhodes will give the Committee report. Councillor Rhodes stated that Proposal 1, 1995 amends the Revised Code concerning industrial wastewater pretreatment. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 1, 1995, as amended, was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

Proposal No. 1, 1995, as amended, was retitled GENERAL ORDINANCE NO. 22, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 22, 1995

A GENERAL ORDINANCE amending the Revised Code of Indianapolis and Marion County, Indiana to make certain amendments to Chapter 671, Sewers and Sewage Disposal.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY INDIANA:

SECTION 1. The heading to Article I and Article I, Sections 671-2, 671-3, 671-4, 671-5, 671-6, 671-7, 671-8, 671-9, 671-10, 671-11, 671-12, 671-13, 671-16 and 671-17 are hereby amended by inserting the underlined text and deleting the stricken-through text to read as follows:

ARTICLE I. ~~IN~~ GENERAL

Sec. 671-2. Definitions.

As used in this chapter the following terms shall have the meanings ascribed to them in this section unless the context specifically indicates otherwise:

ASTM shall mean the American Society for Testing and Materials.

Accidental discharge shall mean an unintentional release of a material that could potentially violate the requirements of sections 671-4(c), (d), or (e).

Act shall mean the Federal Water Pollution Control Act, as amended as of January 1, 1995, 33 USC 1251, et seq., also known as the Clean Water Act or CWA.

Administrator shall mean the ~~Regional~~ Administrator of Region V, U.S. Environmental Protection Agency or Commissioner in an NPDES state with an approved state of the Indiana Department of Environmental Management or its successor, provided such state agency has a pretreatment program approved by the EPA.

Applicable pretreatment standard shall mean, for any specified pollutant, the city's prohibitive discharge standards, the city's specific limitations on discharges, the State of Indiana pretreatment standards, or the federal general or categorical pretreatment standards (when effective), whichever standard is most stringent.

Approval authority shall mean the administrator.

Authorized representative of industrial user shall be:

- (1) A responsible corporate officer if the industrial user is a corporation. A responsible corporate officer shall mean:
 - a. A president, vice president, treasurer, or secretary of the corporation in charge of a principal business function or any other person who performs similar policy or decision-making functions for the corporation; or
 - b. A manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to said manager in accordance with corporate procedures.
- (2) A general partner or proprietor if the industrial user is a partnership or sole proprietorship, respectively.
- (3) For a municipality, State, Federal or other public agency, by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).
- (34) An individual duly authorized by the person designated in (1), ~~or (2)~~ or (3) above, provided:

- a. The authorization is made in writing by the individual described in subsection (1), ~~or (2)~~ or (3) above;
- b. The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the discharge originates, such as the position of plant manager, plant engineer, superintendent, or a position of equivalent responsibility or having overall responsibility for environmental matters for the company; and
- c. The written authorization is submitted to the city.

Board shall mean the board of public works.

BOD (denoting biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees centigrade, expressed in milligrams per liter.

Building drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from solid waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

Building sewer shall mean the extension from the building drain to the public sewer or other place of disposal and shall include that portion of the drain within the public right-of-way.

Categorical pretreatment standard shall mean any regulation containing pollutant discharge limits promulgated by EPA in accordance with section 307(b) and (c) of the Act which applied to a specific category of industrial user.

City shall mean the consolidated city of Indianapolis, Indiana.

City sewer shall mean a sewer owned and operated by the city.

Combined sewer shall mean a sewer receiving both surface runoff and sewage.

Composite sample shall mean a twenty-four-hour composite sample. Samples may be done either manually or automatically, and continuously or ~~discreetly~~ discretely, with not less than twelve (12) samples to be composited.

Cooling water shall mean the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

Council shall mean the city-county council of Indianapolis, Marion County, Indiana.

Department shall mean department of public works, City of Indianapolis.

Direct discharge shall mean the discharge of treated or untreated wastewater directly to the surface waters of the State of Indiana.

Director shall mean the director of the department of public works, or his/her authorized deputy, agent, or representative.

Discharge report shall mean any report required of an industrial user by section B.2. of the industrial discharge permit.

Domestic wastewater shall mean wastewater of the type commonly introduced into a POTW by residential users.

EPA shall mean the U.S. Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the administrator or other duly authorized official of said agency.

Foundation drains shall mean any network of pipes, pumps, or drainage mechanism located at, near or under a footing, foundation or floor slab of any building or structure that intentionally or unintentionally conveys groundwater away from a building or structure.

Garbage shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

General pretreatment regulations shall mean "General Pretreatment Regulations for Existing and New Sources of Pollution," 40 CFR, ~~Section Part~~ 403, ~~as amended~~.

Grab sample shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

Heat pump discharge shall mean water discharged from a heat pump or other device that uses water as a heat source or heat sink.

Indirect discharge shall mean the discharge or the introduction of non-domestic pollutants from any source regulated under Section 307(b) or (c) of the Act (33 U.S.C. § 1317), into the POTW (including holding tank waste discharged into the system).

Industrial surveillance section shall mean the industrial surveillance section of the department of public works.

Industrial user shall mean any user of the POTW who discharges, causes, or permits the discharge of non-domestic wastewater into the POTW.

Industrial wastewater shall mean a combination of liquid and water-carried waste discharged from any industrial user's establishment and resulting from any trade or process carried on in that establishment, including the wastewater from pretreatment facilities and polluted cooling water.

Infiltration shall mean the groundwater entering the sewer system from the ground through such means as, but not limited to, defective or poorly constructed pipes, pipe joints, connections and manholes or from drainage pipes constructed to remove groundwater from areas such as building foundations and farm fields.

Inflow shall mean the storm and surface water entering directly into sewers from such sources as, but not limited to, manhole covers, roof drains, basement drains, land drains, foundation drains, cooling/heating water discharges, catch basins, or stormwater inlets.

Interference shall mean any discharge which, alone or in conjunction with a discharge or discharges from other sources, both: (1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use, or disposal; and (2) therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research, and Sanctuaries Act.

Lift station shall mean any arrangement of pumps, valves and controls that lifts wastewater to a higher elevation.

NH₃-N (denoting ammonia nitrogen) shall mean all of the nitrogen in water, sewage or other liquid waste present in the form of ammonia, ammonia ion or in the equilibrium NH_4^+ , NH_3 , and H^+ .

Natural outlet shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

New source shall mean any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

- (1) The building, structure, facility, or installation is constructed at a site at which no other source is located; or

- (2) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
- (3) The production or wastewater-generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site.

Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of (2) or (3) above but otherwise alters, replaces, or adds to existing process or production equipment.

Construction of a new source has commenced if the owner or operator has:

- (1) Begun or caused to begin as part of a continuous onsite construction program:
 - a. Any placement, assembly, or installation of facilities or equipment; or
 - b. Significant site preparation work including ~~cleaning~~clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment.
- (2) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Nonindustrial user shall mean all users of the POTW not included in the definition of "industrial user."

Pass-through shall mean a discharge which exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

Person shall mean any individual, partnership, trust, firm, company, association, society, corporation, group, governmental agency, including but not limited to, the United States of America, the State of Indiana and all political subdivisions, authorities, districts, departments, agencies, bureaus, and instrumentalities thereof, or any other legal entity, or any combination of such.

pH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Pollutant shall mean, but is not limited to, any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical materials, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.

Pollution shall mean the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

POTW shall mean all publicly owned facilities for collecting, pumping, treating, and disposing of wastewater, including sewers, lift stations, manhole stations, and the wastewater treatment plants.

Pretreatment or *treatment* shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes or other means, except as prohibited by 40 CFR Section 403.6(d).

Pretreatment standard or regulation shall mean any substantive or procedural requirement related to pretreatment contained in this chapter.

Process wastewater means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

Properly shredded garbage shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

Public sewer shall mean any combined or sanitary sewer or lift station located within the public right-of-way or a dedicated easement and which is controlled by public authority.

Radioactive material means any material (solid, liquid, or gas) which spontaneously emits ionizing radiation and which is regulated by the Nuclear Regulatory Commission (NRC) or the Indiana State Board of Health. This may include naturally occurring radioactive material, by-product material, accelerator produced material, source material, or special nuclear material.

Sanitary district shall mean that area incorporated into the Marion County liquid waste sanitary district.

Sanitary sewer shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Sewage normally discharged by a residence shall mean the liquid waste contributed by a residential living unit and shall not exceed a volume of ten thousand five hundred (10,500) gallons per month, thirty (30) pounds of BOD per month and thirty-five (35) pounds of suspended solids per month.

Sewer shall mean a pipe or conduit for carrying sewage.

Sewer work shall mean the connecting of any building sewer to a city sewer, the making of a significant alteration to or significant repair of a building sewer, the connecting of a building sewer to a building drain or the altering or repairing of a city sewer.

Shall is mandatory; *may* is permissive.

Significant industrial user (SIU) shall mean any industrial user which is:

- (1) A facility regulated by a national categorical pretreatment standard and generates a process discharge;
- (2) A non-categorical facility with a process wastewater discharge greater than an average of 25,000 gallons per day;
- (3) Any industrial user with a reasonable potential to adversely affect the POTW, its treatment processes or operations, or its sludge use or disposal or for violating any pretreatment standard or requirement; or
- (4) Any other industrial user deemed to be significant by the director on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement; or
- (5) Any other industrial user which contributes process wastewater which makes up five (5) percent or more of the dry weather average hydraulic or organic capacity of the POTW treatment plant.

Upon a finding that an industrial user meeting the criteria of paragraphs (2), (3), (4) and (5) of this section has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the director may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with 40 CFR § 403.8(f)(6), determine that such industrial user is not a significant industrial user.

Slug shall mean any discharge of wastewater which, in concentrations of any given constituent, as measured by a grab sample, exceeds more than five (5) times the allowable discharge limits as specified in this chapter and/or in quantity of flow exceeds more than five (5) times the user's average flow rate as authorized in the user's industrial discharge permit, for a period of duration longer than fifteen (15) minutes.

State shall mean the State of Indiana.

Storm drain or storm sewer shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Storm water shall mean any flow occurring during or following any form of natural precipitation and resulting therefrom.

Suspended solids (SS) shall mean solids that either float on the surface of, or are in suspension in, water, sewage or other liquids, and which are removable by laboratory filtering.

Toxic pollutant shall mean any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provisions of CWA §§ 307(a) or 405(d) or other acts.

Upset shall mean an exceptional incident in an industrial user's facility, in which there is unintentional and temporary noncompliance with applicable pretreatment standards because of factors beyond the reasonable control of the industrial user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

User shall mean any person who contributes, causes or permits the contribution of wastewater into the city's POTW.

Wastewater shall mean a combination of the liquid and water-carried pollutants from residences, ~~commercial businesses~~ buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

Wastewater treatment plant shall mean any arrangement of devices and structures used for treating wastewater.

Wastewater works shall mean all facilities for collecting, pumping, treating and disposing of wastewater.

Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Abbreviations. The following abbreviations shall have the designated meanings:

BOD or BOD ₅ :	Biochemical oxygen demand
CFR:	Code of Federal Regulations (<u>July 1, 1994 edition</u>)
COD:	Chemical oxygen demand
CWA:	<u>Clean Water Act</u>
EPA:	<u>United States Environmental Protection Agency</u>
G.O.	<u>General Ordinance</u>
IC	<u>Indiana Code</u>
IAC	<u>Indiana Administrative Code (as amended as of December 1, 1994)</u>
IDEM:	Indiana Department of Environmental Management
ISBH:	Indiana State Board of Health
l:	Liter
mg:	Milligrams
mg/l:	Milligrams per liter
NPDES:	National Pollutant Discharge Elimination System
POTW:	Publicly Owned Treatment Works
SIC:	Standard industrial classification
SS:	Suspended Solids
SWDA:	Solid Waste Disposal Act, 42 USC § 6901, <u>et seq.</u>
TSS:	Total Suspended Solids
40 CFR 136:	"Guidelines Establishing Test Procedures for the Analyses of Pollutants"
330 AIC 5-12-2:	"Regulations for National Pretreatment Standards for Prohibited Discharges"

Sec. 671-3. Unlawful disposal of wastes.

(a) It shall be unlawful to discharge to any natural outlet or watercourse within the city any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with the laws of the United States, State of Indiana, ~~or~~ and the city.

(b) Except where a valid NPDES permit exists, the owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes, situated within the city and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a city sewer, is hereby

required at his/her expense to connect such facilities directly with the proper city sewer in accordance with the provisions of this chapter, within ninety (90) days after the day of official notice to do so, provided that said city sewer is within one hundred (100) feet (30.5 meters) of the property line, notwithstanding whether or not the facilities are served by any private sewage disposal system and within conditions as hereinafter provided.

Sec. 671-4. Regulation of discharges to public sewers.

(a) No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff or subsurface drainage into any sanitary sewer.

(b) Storm water and all other unpolluted drainage may be discharged through existing structures to such sewers as are specifically designated as combined sewers or storm sewers. No additional flow shall be introduced. Industrial cooling waters or unpolluted process waters may be discharged, on approval of application, as provided in section 671-41.

(c) No person shall discharge or cause to be discharged to any city sewer wastewater or pollutants which cause, threaten to cause, or are capable of causing, either alone or by interaction with other substances:

- (1) Fire or explosion hazard;
- (2) Corrosive structural damage to the POTW but in no case water with a pH lower than 5.0 or higher than ~~10.0~~12.0;
- (3) Obstruction to the flow in city sewers, or other interference with the proper operation of the POTW;
- (4) An interference;
- (5) A pass-through.

(d) No person shall discharge or cause to be discharged to any city sewer:

- (1) A slug or a flow rate and/or pollutant discharge rate which is excessive over a relatively short time period so that there is a treatment process upset and subsequent loss of treatment efficiency;
- (2) Heat in amounts which will inhibit biological activity at the wastewater treatment plant but in no case greater than sixty (60) degrees centigrade (140 degrees Fahrenheit) or heat in such quantities that the temperature at the wastewater treatment plant exceeds forty (40) degrees centigrade (104 degrees Fahrenheit) ~~unless approved by the director~~;
- (3) Any wastewater containing toxic pollutants or any discharge which could result in toxic gases, fumes, or vapors in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed applicable categorical pretreatment standards;
- (4) A wastewater with a closed cup flash point of less than 140 degrees Fahrenheit or any liquids, solids or gases which, by reason of their nature or quantity, are or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious or hazardous in any other way to the POTW or to the operation of the wastewater treatment plant. At no time shall a discharge cause a reading on a meter capable of reading L.E.L. (lower explosive limit), to be greater than ten (10) per cent at the point of discharge to the POTW, or at any point in the POTW.
- (5) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair;
- (6) Solid or viscous substances and/or other pollutants which may cause obstruction to the flow in a sewer or other interference with the operation of the POTW such as, but not limited to, grease, improperly shredded garbage, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood plastics, tar, asphalt

residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes, or tumbling and deburring stones;

- (7) Any substance which may cause the POTW's effluent or any other product of the wastewater works such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act;
 - (8) Any substance which will cause the POTW to violate its NPDES permit or the receiving stream's water quality standards;
 - (9) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes, inks, and vegetable tanning solutions;
 - (10) Any wastewater containing radioactive material above limits contained in regulations, licenses, or orders issued by the appropriate authority having control over their use. The disposal of any licensed radioactive material must meet applicable local, state, or federal requirements;
 - (11) Any wastewater containing ~~an oil and grease concentration~~ a total petroleum hydrocarbons concentration as determined by a procedure deemed appropriate by the director in excess of 200 mg/l. This limitation shall apply at the point of discharge to the city sewer system and is the maximum concentration allowed in any single grab sample collected from the wastestream;
 - (12) Any gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, carbides, hydrides, stoddard solvents, sulfides, epoxides, esters, amines, polynuclear aromatic hydrocarbons, pyridines, new and used motor oil, or antifreeze, except at concentrations which do not exceed levels of such substances which are routinely present. ~~Background concentrations of these substances which are present in the normal wastewater discharge and do not otherwise violate any section of this chapter or the conditions of an industrial discharge permit or a special agreement; and shall be considered in compliance with this subsection.~~
 - (13) Polychlorinated biphenyls (PCBs) ~~are prohibited~~ in any detectable concentrations.
- (e) No person shall discharge or cause to be discharged a wastewater which has a twenty-four-hour composite value in excess of the values shown on Table 1.

TABLE 1
NON-CATEGORICAL DISCHARGE LIMITS

Maximum Allowable Concentration 24-Hour Composite Sample Value	
<i>Pollutants</i>	<i>(mg/l)</i>
Arsenic	4.0
Cadmium	1.2
Chromium (total)	24.0
Chromium (hex)	3.4
Copper	2.2
Cyanide (amenable)	0.4
Cyanide (total)	8.0
Lead	4.7
Nickel	7.3
Phenol	46.0
Pentachlorophenol	0.012
Zinc	38.0
Mercury	0.025
Silver	4.2

- (f) The limitations set forth in Table 1 above apply at the point of discharge to the city sewer system. The limitations for amenable cyanide, total cyanide, and phenols apply to 24 hour composite samples only in those

cases where the composite sample is preserved according to EPA approved methods prior to collection. Otherwise, the values set forth for amenable cyanide, total cyanide and phenols or, with the approval of the director, any other listed pollutants shall apply to an instantaneous grab sample taken during prevailing discharge conditions and representative of the facility's discharge in general. The limitations and requirements imposed in §§sections 671-4(c) and (d) shall apply at the point of discharge to the city sewer unless specified otherwise.

(g) A grease interceptor shall be installed in the waste line leading from sinks, drains and other fixtures or equipment in restaurants, cafes, lunch counters, cafeterias, bars and clubs; hotel, hospital, sanitarium, factory or school kitchens; or other establishments where grease may be introduced into the drainage or sewage system in quantities that can affect line stoppage or hinder sewage treatment. The characteristics, size and method of installation of the grease interceptor shall meet the requirements imposed by the Department of Fire Prevention and Building Services and shall be reviewed and approved by the department of public works prior to the commencement of installation. Approval of proposed facilities or equipment does not relieve the person of the responsibility of enlarging or otherwise modifying such facilities to accomplish the intended purpose. On a showing of good cause, the director may waive this requirement. A grease interceptor is not required for individual dwelling units or for any private living quarters.

(h) No user shall change substantially the character or volume of pollutants discharged to the POTW without prior written notification to the city.

Sec. 671-5. Modification of federal categorical pretreatment standards.

When the city demonstrates consistent removal of pollutants limited by federal categorical pretreatment standards, as required by 40 CFR 403.7, ~~and any amendments thereto~~, the city may apply to the administrator of EPA, or the state if it has an approved pretreatment program, for authorization to give a removal credit to reflect removal of toxic or other regulated pollutants by the city's wastewater treatment system.

Sec. 671-6. State and federal requirements.

Federal categorical pretreatment standards or state requirements and limitations on discharges shall apply in any case where they are more stringent than those in this chapter. To the extent the federal regulations contain stricter standards, the categorical pretreatment standards, found in 40 CFR Chapter I, Subchapter N, Parts 405-471, are hereby incorporated by reference into this ordinance. To the extent the state regulations contain stricter standards, the pretreatment standards found in 327 IAC 5-12-6 are hereby incorporated by reference into this ordinance.

Sec. 671-7. City's right of revision.

The city reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater system than those in this chapter if deemed necessary to comply with the objectives presented in section 671-1 of this chapter or to comply with federal or state laws.

Sec. 671-8. Baseline report.

Within one hundred eighty (180) days after the effective date of a federal categorical pretreatment standard, or one hundred eighty (180) days after the final administrative decision made on a category, whichever is later, existing industrial users subject to such categorical pretreatment standards and currently discharging to or scheduled to discharge to the POTW will be required to submit to the director a report containing the following information as required by 40 CFR 403.12(b);

- (1) *Identifying information.* The user shall submit the name and address of the facility including the name of the operator and owners;
- (2) *Permits.* A list of any environmental control permits held by or for the facility;
- (3) *Description of operations.* User shall submit a brief description of the nature, average rate of production, and standard industrial classification of the operation(s) carried out by such industrial user. This description should include a schematic process diagram which indicates points of discharge to the wastewater works from the regulated processes;
- (4) *Flow measurement.* Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following:

- a. Regulated process streams; and
- b. Other streams as necessary to allow use of the combined waste stream formula of 40 CFR 403.6(e).

The director may allow for verifiable estimates of these flows where justified by cost or feasibility considerations.

- (5) Measurement of pollutants. The pretreatment standards applicable to each regulated process and concentration and nature (or mass) as measured according to 40 CFR 403.12(b)(5).
- (6) The report shall state whether the applicable pretreatment standards or regulations are being met on a consistent basis. If not, then the report shall state what operation and maintenance and/or pretreatment is necessary to bring the user into compliance and the shortest schedule by which the user will provide such additional operation and maintenance and/or pretreatment, provided that the completion date shall not be later than the compliance date established for the applicable categorical pretreatment standard. This statement shall be signed by an authorized representative of the industrial user and certified by a professional engineer licensed in the State of Indiana.

Sec. 671-9. Excessive discharge.

No industrial user shall ever increase the use of process water or other flows to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the federal categorical pretreatment standards, or in any other pollutant-specific limitation developed by the city or state.

Sec. 671-10. Accidental discharge.

(a) Each industrial user shall provide protection from accidental discharge of substances regulated by this chapter. Facilities to prevent accidental discharge shall be provided and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be available to the city for review. All existing industrial users shall complete such a plan within six (6) months after the effective date of this chapter. No industrial user who commences contribution to the POTW after the effective date of this chapter shall be permitted to introduce pollutants into the system until accidental discharge procedures are available. Such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the industrial user's facility as necessary to meet the requirements of this chapter.

(b) In the case of an accidental discharge, it is the responsibility of the industrial user to immediately telephone and notify the ~~industrial surveillance section~~ director of the incident. The notification shall include:

- (1) Name of company;
- (2) Location of discharge;
- (3) Type of waste discharged;
- (4) Concentration and volume of waste discharged;
- (5) Corrective actions taken to minimize the impact of the discharge to the POTW.

(c) The industrial user shall notify the city if it is unable to comply with any requirement of this chapter because of a breakdown of its treatment equipment, accidents caused by human error, or upsets. The notification should include the information required in subsection (a) above.

(d) Within five (5) working days, unless extended by the director in writing, the industrial user shall submit to the director a detailed written report describing the accidental discharge including:

- (1) The cause of the accidental discharge;
- (2) The period of the accidental discharge, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue;
- (3) Steps being taken and/or planned to reduce, eliminate or prevent recurrence of the accidental discharge.

(e) Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the wastewater works or aquatic life, fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this chapter or other applicable law.

(f) An affirmative defense of upset may be available to an industrial user in an enforcement proceeding. In any enforcement proceeding the industrial user seeking to establish the occurrence of an upset shall have the burden of proof.

An industrial user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An upset occurred and the industrial user can identify the specific cause(s) of the upset;
- (2) The facility was at the time being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures;
- (3) The industrial user has submitted to the city the information required in subsections (b) and (c) above.
- (4) The industrial user complied with any reasonable remedial measures to minimize or prevent any discharge or sludge use or disposal in violation of this chapter which has a reasonable likelihood of adversely affecting human health or the environment.

An upset defense is only available for violations of categorical pretreatment standards or technology-based permit effluent limitations.

(g) A notice shall be permanently posted on the user's bulletin board or other prominent place advising affected employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

Sec. 671-11. Liability for damage.

If any person discharges or causes to be discharged a waste which causes interference, pass through, obstruction, damage or any other impairment to the POTW, the director may assess a charge against said person for:

- (1) The work required to clean or repair the POTW; ~~and~~
- (2) Any civil penalty, fine or cost of compliance with injunctions or other orders of a court or governmental authority imposed against the city as a result of such interference, obstruction, damage or impairment; and
- (3) All other costs incurred by the city as a result of such interference, pass through, obstruction, damage or impairment including but not limited to expert, consultant and attorneys' fees;

and add such charges to said person's regular charge.

A person shall have an affirmative defense to any charge assessed against it under this section where the person can demonstrate that it did not know or have reason to know that its discharge, alone or in conjunction with a discharge or discharges from other sources, would cause pass through or interference, and:

- (1) a local limit designed to prevent pass through and/or interference, as the case may be, has been developed for each pollutant in the person's discharge that caused pass through or interference, and the person was in compliance with such local limit directly prior to and during the pass through or interference; or
- (2) if a local limit designed to prevent pass through and/or interference, as the case may be, has not been developed for the pollutant(s) that caused the pass through or interference, the person's discharge directly prior to and during the pass through or interference did not change substantially in nature or constituents from the person's prior discharge activity when the POTW was regularly in compliance

with the POTW's NPDES permit requirements and, in the case of interference, applicable requirements for sewage sludge use or disposal.

Sec. 671-12. Special agreements.

Special agreements and arrangements between the department and any person may be established when, in the opinion of the director, unusual or extraordinary circumstances compel special terms and conditions. The director shall consider the total cost of application of technology in relation to the pollutant reduction benefits to be achieved from such application, the quality of pollutants that will be included in the discharge, the impact of those pollutants on the POTW and the receiving stream and such other factors as the director deems appropriate. A violation of a term of a special agreement shall be considered a violation of this chapter. There cannot be special agreements and arrangements where federal categorical pretreatment standards and requirements apply.

Sec. 671-13. Monitoring devices; metering equipment.

(a) Installation and maintenance at industrial user's expense. The director may require, as is necessary to carry out the requirements of this chapter, any ~~person~~ industrial user to construct at his/her own expense, monitoring facilities to allow inspection, sampling and flow measurement of the building drain or sewer and may also require sampling or metering equipment to be provided, installed and operated at the industrial user's expense. The monitoring facility should normally be situated on the industrial user's premises, but the director may, when such a location would be impractical or cause undue hardship, upon his/her approval allow the facility to be constructed in the public right-of-way; provided, however, the department of transportation shall be the authority, through the street maintenance, traffic and street engineering divisions, to determine the locations on the public right-of-way, on or below which the monitoring device and facility shall be placed.

(b) Temporary right-of-way use permit. The owner of the property abutting the public right-of-way to be used for the installation of the monitoring device shall submit to the ~~department of transportation permit section~~ the appropriate city agency a temporary right-of-way use permit request. The maintenance, traffic and street engineering divisions staff of the department of transportation shall review the temporary right-of-way use request and site plan prior to issuing the permit.

(c) Industrial users subject to categorical pretreatment standards shall have the option to designate a sampling location at a point containing only regulated process wastewaters or at a point containing the combined waste stream to demonstrate compliance with the applicable standard. The industrial user shall prove to the satisfaction of the director that the selected self-monitoring location contains all regulated waste streams. This option does not relieve the industrial user of the requirements specified in section 671-13(a).

(d) An industrial user shall obtain written approval of the director prior to changing the point of self-monitoring activities.

Sec. 671-16. Penalties.

(a) Notwithstanding any other section, any person who violates any provision or discharge limit of this chapter may be fined an amount not to exceed two thousand five hundred dollars (\$2,500.00). A violation of any permit issued under this chapter or special agreement entered into under the authority of this chapter shall constitute a violation of this chapter. Each day's violation shall constitute a separate offense.

(b) Nothing in this chapter shall restrict any right which may be provided by statute or common law to the city to bring other actions, at law or at equity, including injunctive relief.

Sec. 671-17. Recordkeeping requirement.

(a) Any industrial user subject to the reporting requirements established in this chapter shall maintain records of all information resulting from any monitoring activities required by this chapter. Such records shall include for all samples:

- (1) The date, exact place, method, and time of sampling and the name(s) of the person or persons taking the samples;
- (2) The dates analyses were performed;
- (3) Who performed the analyses;

- (4) The analytical techniques/methods used; and
- (5) The results of such analyses.

(b) Any industrial user subject to the reporting requirements established in this chapter shall be required to retain for a minimum of three (3) years any records of monitoring activities and results and shall make such records available for inspection and copying by the director, ~~and the EPA and the IDEM.~~ The city may extend the record-keeping retention requirement beyond three (3) years during periods of litigation, in anticipation of litigation, or as requested by the Approval Authority.

SECTION 2. Article III, Sections 671-43, 671-44, 671-47, 671-48, 671-50, 671-51, 671-57, 671-58 and 671-60 are hereby amended and a new Section 671-62 shall be added by inserting the underlined text and deleting the stricken-through text to read as follows:

Sec. 671-43. Term.

The industrial discharge permit shall be for a term of ~~three (3)~~ no more than five (5) years. Any person wishing to continue to discharge to a city sewer beyond the term of the industrial discharge permit shall apply for renewal of the industrial discharge permit at least sixty (60) days prior to the expiration of said permit using forms prescribed by the director, which forms may require the information set forth in section 671-42.

In the event the permittee does not receive permit renewal prior to the expiration date due to circumstances beyond the control of the permittee, the standards and requirements set forth in the expired permit shall remain in full force and effect until such renewal is received by the permittee.

Sec. 671-44. Conditions.

The director may prescribe conditions to the industrial discharge permit which may include the following:

- (1) Applicable federal and/or state laws, regulations or orders, including National Categorical Pretreatment Standards for new and existing sources promulgated in 40 CFR, Parts 401 through 471;
- (2) Limits or prohibitions on the wastewater characteristics other than those in section 671-4, including but not limited to polychlorinated biphenyls and polybrominated biphenyls for the protection of public health or the POTW. The director shall apply applicable federal categorical pretreatment standards or, in the absence of such standards, limits may be based on the best practical technology;
- (3) The unit charge or schedule of user charges and fees for the wastewater to be discharged to a city sewer, as established by city-county council;
- (4) Limits on the average and maximum wastewater constituents and characteristics;
- (5) Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;
- (6) Requirements for installation and maintenance of inspection and sampling facilities;
- (7) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests, and reporting schedule;
- (8) Compliance schedules;
- (9) Requirements for submission of technical reports or discharge reports;
- (10) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the city, and affording city access thereto;
- (11) Requirements for prior notification of the city of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the POTW;

(12) Requirements for notification of slug discharges and the submittal and implementation of a slug control program;

(13) Other conditions as deemed appropriate by the city to ensure compliance with this chapter.

Sec. 671-47. Non-assignability.

The industrial discharge permits are issued to a specific person for a specific facility and do not constitute a property interest nor shall the industrial discharge permit be assigned, conveyed or sold to a new owner, new user, different premises or a new or changed operation, except as follows: Industrial discharge permits may be reassigned or transferred to a new owner and/or operator if the permittee gives at least thirty (30) days advance written notice to the director and the director approves the industrial discharge permit transfer in writing. The notice to the director must include a written certification by the new owner and/or operator which: (1) states that the new owner and/or operator has no immediate intent to change the facility's operations and process; (2) identifies the specific date on which the transfer is to occur; and (3) acknowledges full responsibility for complying with the existing industrial discharge permit and all applicable laws and regulations. Failure to provide advance notice of a transfer renders the industrial discharge permit voidable on the date of facility transfer.

Sec. 671-48. Pretreatment.

Industrial Users shall provide necessary wastewater treatment as required to comply with this chapter and shall achieve compliance with all federal categorical pretreatment standards within the time limitations as specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater to a level acceptable to the city shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the city for review and shall be acceptable to the city before final review and approval of such plans by the Indiana Department of Environmental Management and construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the city under the provisions of this chapter. Any subsequent significant modifications in the pretreatment facilities or method of operation affecting its discharge shall be reported to and be acceptable to the city prior to the user's initiation of the changes.

Sec. 671-50. Periodic compliance reports.

Any user subject to a pretreatment standard set forth in this chapter, after the compliance date of such pretreatment standard, or, in the case of a new source, after commencement of the discharge into the POTW, shall submit to the director, during the months of June and December, unless required more frequently in the pretreatment standard or by the director, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards. In addition, this report shall include a record of all daily flows which, during the reporting period, exceeded the average daily flow reported in section 671-49. At the discretion of the director and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the director may agree to alter the months during which the above reports are to be submitted.

Reports of permittees shall contain the results of sampling and analyses of the discharge, including the flow and the nature and concentration, or production and mass where requested by the director, of pollutants contained therein which are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the applicable pretreatment standard. All analyses shall be performed in accordance with 40 CFR, ~~p~~Part 136 and amendments thereto or with any other test procedures approved by the director. Sampling shall be performed in accordance with the techniques approved by the director. Where 40 CFR, ~~p~~Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analyses shall be performed in accordance with the procedures set forth in the EPA publication, "Sampling and Analysis Procedure for Screening of Industrial Effluent for Priority Pollutants," April, 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the administrator of the EPA.

Sec. 671-51. Confidential information.

The director shall protect any information (other than effluent data) contained in the application forms, or other records, reports or plans as confidential upon showing by any person that such information, if made public, would divulge methods or processes entitled to protection as trade secrets of such persons.

Information accepted by the city with a claim for confidentiality shall be safeguarded by the city and shall not be transmitted to ~~any government agency or~~ to the public until and unless a fifteen-day notification is given to the user. During the fifteen-day period, the user shall submit a justification of confidentiality to the director. A determination of confidentiality shall be made by the director pursuant to regulations used by the ~~Indiana Water Pollution Control Board-EPA~~ for acquisition of and public access to agency information, ~~as amended, 327 IAC 5-1.5-1 et seq. 40 CFR § 403.14.~~

Sec. 671-57. Appeals.

A user may file with the director a written request for reconsideration within fifteen (15) days of any action, decision or determination taken as part of the department's administrative enforcement program. The request shall set forth in detail the facts surrounding the request. The director shall respond within ten (10) days of receipt of the request and shall make his/her final determination within ten (10) thirty (30) days of receipt of the request.

The user may further appeal to the board of public works within fifteen (15) days of any final decision of the director. (G.O. 77, 1984, § 2)

Sec. 671-58. Publication of significant noncompliance.

During January of each year, the city shall publish in the largest city newspaper a list of the users which at any time during the previous calendar year were in significant noncompliance with applicable pretreatment requirements. The list shall be published in January of each year summarizing the noncompliance of the previous calendar year.

Significant noncompliance shall be chronic violations of discharge limitations in which sixty-six percent (66%) or more of all measurements taken during a six (6) month period exceed by any magnitude the daily maximum for any given parameter; violations of technical review criteria (TRC) as set forth in 40 CFR § 403.8(f)(2)(vii) in which thirty-three percent (33%) or more of all measurements for each pollutant parameter taken during a six (6) month period exceed the daily maximum or average limit multiplied by the applicable TRC; violations of an effluent limit that the director has determined has caused interference or pass-through at the POTW or endangerment to POTW personnel or the public; discharge of a pollutant causing imminent endangerment to human health, welfare, or the environment; failure to meet, within ninety (90) days after a scheduled date, a compliance schedule milestone contained in a compliance schedule or order; failure to provide a required report within thirty (30) days after the due date; failure to accurately report noncompliance; or any violation which the director determines will adversely affect the operation or implementation of the city's pretreatment program.

Sec. 671-60. Signatory requirements.

Reports and sworn statements required by sections 671-8, 671-10(c), 671-42(b), 671-49, 671-50, 671-59, and 671-61(b) shall be made by an authorized representative as defined in section 671-2 of this chapter. The reports and sworn statements which relate to the actual operation of or discharge from a pretreatment facility shall be prepared by or under the direction of a wastewater treatment plant operator certified under the provisions of 327 IAC 8. if the industrial user is required to have such a certified wastewater treatment plant operator.

If an authorization allowed under this section is no longer accurate due to changes in the person or position designated, a new authorization satisfying the requirements of this section shall be submitted to the city prior to or together with any applicable report.

Such reports and sworn statements shall be made as follows: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Sec. 671-62. Discharge of hazardous wastes.

Any industrial user which discharges a substance, which if disposed of otherwise would be a hazardous waste under 40 CFR Part 261, shall give prior written notification to the director, the Indiana Department of Environmental Management, and U.S. EPA Region 5 of such discharge, in accordance with the requirements of 40 CFR Part 261 and 40 CFR § 403.12(p).

SECTION 3. Article IV, Sections 671-104 and 671-108 are hereby amended by inserting the underlined text and deleting the stricken-through to read as follows:

Sec. 671-104. Billing Estimates and Reports.

(a) In the event a nonindustrial user subject to such charges and fees is not served by a public water supply or water used is not completely metered, the director shall have the authority to estimate the volume and strength of the waste and use such estimate for the purposes of billing rates and charges. The estimates shall be based upon analyses and volumes of a similar installation or the volume and analysis as determined by measurements and samples taken by the director or an estimate determined by the director or by any combination of the foregoing or other equitable method.

(b) Unless otherwise established by the director, each industrial user subject to the charges and fees shall report to the director by the twenty-fifth (25th) day of the following month on a form prescribed by the director an estimate of the volume discharged in the prior month and a representative value of the strength of the waste, including but not limited to BOD, SS, and (ammonia) nitrogen. All measurements, tests and analyses of the characteristics of such waste shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Sewage" as published jointly by the American Public Health Association and the Water Pollution Control Federation consistent with 40 CFR ~~p~~Part 136 or by other methods generally accepted under established sanitary engineering practices and approved by the director. The reports submitted shall be subject to verification by the director but may serve as the basis for billing with all necessary adjustments in the amounts to be made after verification. In the event an analysis and volume of the industrial waste is not furnished to the director by the aforementioned time, the charges shall be based upon estimates made by the director, as provided in section 671-104(a).

In the event that an industrial user fails to submit the report required by section 671-104(b) by the twenty-fifth (25th) day of the following month, the industrial user shall pay late reporting charges according to the following schedule:

<i>Late Reports Filed in any Year</i>	<i>Charge</i>
First Late Report	No Charge
Second Late Report	No Charge
Each Subsequent Late Report	\$100.00

These late reporting charges shall be due and payable as provided in this article. The imposition of such late reporting charges shall in no way limit the operation of penalties provided elsewhere in this chapter.

(c) The director shall have the right to enter upon the land of the industrial user and to set up such equipment as is necessary to certify the reports submitted. It shall be the duty of the industrial user to provide all necessary clearance before entry and not to unnecessarily delay or hinder the director in carrying out the measuring and sampling. The right of entry shall exist during any time the industrial user is operating or open for business.

(d) In cases where measurements are difficult to make, or the industrial waste composition changes frequently, or representative samples are difficult to get, or where other methods of measurement are necessitated for other sound engineering reasons as determined by the director, the director shall have the authority to use such other basis for determining said charges as shall be reliably indicative of volume and BOD, SS and (ammonia) nitrogen strengths of particular industrial waste, such as, but not limited to, water purchase or usage, character of products, comparisons between the industrial user data and collected data from like industries.

(e) The cost of all tests, measurements and analyses taken by the director pursuant to the department of public works' responsibility to perform industrial monitoring programs, defined and directed by local, state and federal agencies, shall be charged to the industrial user tested in an amount equal to the actual average cost of

said test, measurement or analyses as determined at the close of each calendar year. These costs shall be due and payable as provided in this article.

Sec. 671-108. Rules and regulations authorized.

After the passage of General Ordinance No. 63, 1977, and from time to time thereafter as may be needed, the board may, by resolution, promulgate rules and regulations necessary to implement and carry out the provisions of this article and not inconsistent therewith. Before any such rules and regulations shall become effective, the board of public works shall follow the procedures provided in IC 36-9-25, ~~as amended~~.

SECTION 4. Article VI, Sections 671-128, 671-130, 671-131, 671-132, 671-133 and 671-134 are hereby amended and a new Section 671-135 shall be added by inserting the underlined text and deleting the stricken-through text to read as follows:

Sec. 671-128. Definitions.

For the purposes of this article, ~~only~~ the following definitions shall apply:

Commercial wastewater shall mean the liquid or liquid-borne wastes from commercial establishments including but not limited to restaurants, dry cleaners, service stations or auto repair facilities and retail establishments or public or private nonresidential buildings; and shall include any grease, oil, solvents, sludge or other material removed from any sewage disposal system or wastewater treatment plant.

~~Department shall mean the department of public works, of the City of Indianapolis, Indiana.~~

Domestic wastewater shall mean the liquid-borne wastes resulting from normal residential water-consuming activities including but not limited to disposal.

~~Director shall mean the director of the department of public works, or his/her authorized deputy, agent or representative.~~

Land application shall mean the process of disposing of wastewater by burial or incorporation into the soil.

Industrial wastewater shall mean the liquid or liquid-borne waste from industrial manufacturing process, trades or businesses.

~~Person shall mean any individual, corporation, partnership, unincorporated association, or government entity.~~

Sewage disposal system shall mean and include septic tanks, wastewater holding tanks, seepage pits, cesspools, privies, composting toilets, interceptors or grease traps, portable sanitary units, and other equipment, facilities, or other devices used to store, treat, render inoffensive, or dispose of human excrement, or liquid-borne ~~domestic~~ wastewater.

~~Sewer shall mean a pipe or conduit for carrying sewage.~~

Tank shall mean any container when placed on a vehicle to ~~carry in transport wastewater removed from a sewage disposal system.~~

Vehicle shall mean that device used to transport a tank.

~~Wastewater shall mean human excreta, water, scum, sludge, and sewage from sewage disposal systems, retained contents of wastewater holding tanks or portable sanitary units, grease, fats, and retained wastes from grease traps or interceptors, liquid borne wastes from ordinary living processes, and incidental or accidental seepage from sewage disposal systems.~~

Wastewater hauler shall mean any person who engages in the activity, service, business, or leasing of vehicles, for the purpose of transporting domestic wastewater ~~from a sewage disposal system or industrial waste,~~ to another location for disposal, ~~land application, or treatment.~~

~~Wastewater treatment plant shall mean any arrangement of devices and structures used for treating sewage.~~

Sec. 671-130. Registration.

(a) Any wastewater hauler as defined in section 671-129 must be registered with and receive a permit from the department and must display a valid decal issued by the department in the lower corner of the driver's side windshield of each vehicle. ~~This registration must be renewed, and a new permit issued each year by the department. Applications for permits must be filed no later than December first of each year, and permits and decals will be issued effective for the following February first of each year. The charge for the permit and decal for each vehicle shall be established by rule or regulation of the board of public works. Such charge shall be due and payable at the time of filing. Such charges may be revised by the board no more than once each calendar year in accordance with Section 3-405 of the Indianapolis Code.~~

(b) Each wastewater hauler shall ~~include update in~~ his/her permit application as required by the director and shall include the following information:

- (1) Proof of ownership of each vehicle including owner's name and legal address;
- (2) Proof of a current valid ~~Indiana State Board of Health~~ ISBH permit;
- (3) Proof of insurance as specified in section 671-130(d);
- (4) The wastewater hauler's legal address and legal business address, type of business, i.e. domestic and/or industrial wastewater hauler;
- (5) The number of wastewater hauling vehicles, tank capacity in gallons of each vehicle, and license and vehicle identification numbers of all vehicles.
- (6) Any other information as may be deemed by the director to be necessary to evaluate the wastewater hauler's permit.

(c) Each vehicle shall be equipped with an entry port, which allows sampling of the contents of the tank from top to bottom by department personnel. This port shall have a minimum diameter of six (6) inches, and shall be tightly secured to prevent leakage. Each vehicle must have the company name, address, telephone number, capacity in gallons, displayed in a manner similar to that required by the ~~Indiana State Board of Health~~ ISBH.

(d) Each ~~applicant~~ wastewater hauler shall be insured in an amount set forth by rule or regulation of the ~~board of public works~~. The insurance coverage shall cover all work performed by the wastewater hauler while transporting and discharging wastewater and shall include but not be limited to liability arising out of disposal of any hazardous waste, spilled material on public property, and fines or any other costs incurred by the city as a result of the wastewater hauler's activities. The ~~consolidated~~ city shall be named as an additional insured. A certificate of such policies shall be delivered to the ~~department of public works~~ prior to commencement of hauling. The insurance carrier shall give notice to the city at least thirty (30) days before such insurance is either cancelled or not renewed, and the certificate shall state this obligation.

Wastewater haulers permitted at the time of the effective date of this provision shall submit proof of adequate insurance coverage with the next permit application or upon expiration of their bond, whichever is sooner. Potential wastewater haulers applying for a permit subsequent to the effective date of this provision shall secure the proper insurance coverage at the time of filing.

(e) After the application has been received and reviewed by the director, and has been determined to satisfy the conditions above, a permit and decal for each vehicle shall be issued, for a period not to exceed ~~one year~~ five years from date of issuance. The director may prescribe additional permit conditions, including but not limited to:

- (1) Approved charges and fees;
- (2) Limits on the wastewater characteristics;
- (3) Restrictions on the times and days of discharge;
- (4) Requirements for the completion, submittal and retention of customer receipts and other documents and reports related to wastewater hauling;

(5) Type of wastewater allowed to be hauled and disposed of at POTW;

(6) Location of approved discharge sites;

(7) Any other condition as deemed appropriate by the director to assure compliance with this chapter.

~~(f) Noncompliance, the furnishing of false information, or misrepresentation of a material fact with respect to any part of this article, shall be grounds for revocation of the permit or rejection of the application. Reissuance of, or reapplication for a permit shall be at the discretion of the director and may be subject to such conditions as he/she deems appropriate. No refund shall be allowed for any revocation or rejection as provided above. A waste water hauler's permit is issued to a specific person at a specific location and does not constitute a property interest nor shall the permit be assigned, conveyed or sold to a new owner, different premises or new or changed operation.~~

Sec. 671-131. Discharging procedures.

(a) All discharging of ~~domestic and/or industrial~~ wastewater from the wastewater hauler's vehicle tanks, must be done at designated sites approved by the department. The department shall have the right to limit the hours of the day and the days of the week during which discharging shall be allowed.

(b) Any ~~unpermitted~~ discharging of ~~domestic or industrial~~ wastewater into the ~~sewage system~~ POTW at any location ~~in Marion County under the jurisdiction of the department is prohibited and shall be a direct violation of this article unless approved in writing by the department prior to discharging.~~

(c) Any disposal of wastewater by land application must be approved by the department. Written permission of the owner of the property used for disposal and written approval by the ~~Indiana State Board of Health~~ ISBH and IDEM must be submitted to the department before any approval may be granted and prior to discharging any wastewater.

(d) The ~~owner of each vehicle~~ wastewater hauler shall be responsible for the clean-up to the satisfaction of the director, for any and all spills on city streets, rights-of-way and property.

(e) The director may require any wastewater hauler to correct any defective equipment including hoses, valves, tanks, piping and permanent or flexible connections which may result in the leakage or spilling of wastewater from the vehicle. Defective equipment shall be repaired before the ~~owner~~ wastewater hauler is allowed to discharge at the site designated by the department.

(f) Any disposal of wastewater into the POTW must be performed by a wastewater hauler having the permit described in section 671-130(a). Disposal of domestic wastewater or restaurant grease trap waste generated inside or outside Marion County require no further approval. A wastewater hauler disposing of industrial or commercial wastewater generated inside or outside Marion County must obtain special approval as specified by the department.

Sec. 671-132. Testing requirements.

(a) The contents of all wastewater hauler's vehicles are subject to preliminary sampling and testing by the department before discharging into the approved site at the department's wastewater treatment facility. The test results on any sample must be within a specified range for the specific test parameters established by the department, in order not to inhibit the performance of the wastewater treatment plant into which the wastewater is discharged.

(b) Any wastewater hauler's tank contents that do not pass the preliminary testing procedures will be subject to additional specific testing to determine the nature of the contents. If the contents of the tank are deemed ~~by the department to be~~ an inhibitory substance, and unsatisfactory for discharging into the wastewater treatment plant, the wastewater hauler must arrange for proper disposal of the tank contents, and submit to the director proof, by ~~deposition~~ affidavit ~~or~~ and receipt, of proper disposal. Until the director has determined that the conditions of proof have been satisfied, the wastewater hauler is prohibited from using all designated disposal sites approved by the department.

(c) The department ~~will~~ shall notify the ~~Indiana State Board of Health~~ ISBH of the status of any wastewater hauler whose tank contents are determined to be unsatisfactory for discharging into a designated disposal site approved by the department.

(d) The director may refuse to accept any wastewater if, after testing, it is deemed unsatisfactory for discharge into the wastewater treatment plant.

(e) The wastewater hauler shall reimburse the department for all costs associated with the treatment, testing, and disposal of any prohibited wastes.

Sec. 671-133. Administration procedures.

(a) All wastewater haulers ~~must~~shall maintain accurate ~~monthly~~ business records pertaining to wastewater hauling, available to the director, EPA, IDEM and ISBH upon request, ~~showing~~including names, addresses, and telephone numbers of the generators of all wastewater being transported and/or disposed of, county of origin, type of waste, volume of waste, and disposal site, customer receipts required under section 671-133(b), and approvals, permits and certifications issued by federal, state and local authorities. All records required to be retained under this article shall be retained for a minimum of three years.

(b) The driver of each vehicle delivered to the wastewater treatment plant site for discharging ~~must~~shall have dated customer receipts for each source of wastewater showing the name and address of the customers, the nature of the wastewater, amount of wastewater in gallons, wastewater hauler's name and legal business address and telephone number, and vehicle driver's name.

(c) All wastewater haulers ~~will~~shall compensate the department for the full cost of all sampling, laboratory analysis, and treatment costs. Fees shall reflect the costs associated with sampling and testing, treatment and administering the program and shall be based on a fee schedule published by the department of ~~public works~~.

(d) Whenever required to carry out the objectives of this article relating to the control of the discharging of ~~domestic or industrial~~ wastewater or the collection of dump fees, the director shall have a right-of-entry to, upon or through any premises for purposes of inspection, measuring and sampling. This right-of-entry shall include, but not be limited to, any equipment necessary to conduct said inspections, measuring and sampling. It shall be the duty of the wastewater hauler to provide all necessary clearance before entry and not to unnecessarily delay or hinder the director in carrying out the inspection, measuring and sampling. The right of entry shall exist at any time.

Sec. 671-134. Enforcement.

(a) Any person who fails to comply with any provisions of this article, ~~shall~~may be fined not more than two thousand five hundred dollars (\$2,500.00) for each offense. A violation of a permit issued under this article or a special agreement entered into under the authority of this article shall constitute a violation of this article. Each violation of this article shall constitute a separate offense. In addition, the department shall be entitled to all reasonable expenses including court costs and attorney fees.

(b) ~~In addition to the penalties provided in the foregoing section, whenever a person violates any provision of this article the department may apply to a court of competent jurisdiction for injunctive relief. Nothing in this article shall restrict any right which may be provided by statute or common law to the city to bring other actions, at law or in equity, including injunctive relief.~~

Sec. 671-135 Permit revocation.

(a) The director may revoke, suspend or modify the permit for any of the following reasons:

(1) A violation of any provision of this article or of any applicable state or federal statute or regulation related to wastewater hauling;

(2) Failure to report the characteristics of any load, including the furnishing of false information or misrepresentation of any material fact related to wastewater hauling;

(3) Refusal of reasonable access to the wastewater hauler's premises for the purpose of inspecting records, inspection, sampling or monitoring;

(4) Noncompliance with any condition of the permit or special agreement entered into under the authority of this article.

(b) The director shall send written notice of facts underlying the proposed revocation, suspension or modification to the wastewater hauler.

(c) The director shall grant a hearing upon the receipt of the wastewater hauler's written request made within fifteen days of the notice of revocation. The director shall hold the hearing within ten days of the receipt of the written request. If the wastewater hauler does not request a hearing as provided by this article, the revocation, suspension or modification shall be effective upon the date of the notice.

(d) At the hearing, the wastewater hauler may present any evidence which the director finds relevant and material to the issues underlying the proposed revocation, suspension, or modification. Based on the evidence presented at the hearing, the director shall make a written determination either revoking, suspending, modifying or reinstating the permit.

(e) If the wastewater hauler objects to the decision made by the director, the wastewater hauler shall be entitled to a hearing before the board of public works upon such objection. The wastewater hauler shall file a written statement of his objections with the director, who shall call the same to the attention of the board. The appeal shall be scheduled before the board within thirty (30) days after such objections are filed with the director. Notice shall be given to the wastewater hauler identifying the time, place and date of the appeal hearing at least ten (10) days prior to the scheduled date. The board may hear any evidence it finds relevant. After the hearing, the board may confirm, reverse or modify the decision of the director. The order of the board shall be final. Such order shall be made within ten (10) days after the hearing and shall be in writing and sent to the wastewater hauler.

SECTION 5. Article VII, Section 671-157 is hereby amended by inserting the underlined text and deleting the stricken-through text to read as follows:

Sec. 671-157. Execution of covenant.

(a) The director may, as a prerequisite to the issuance of a construction permit, require the execution of covenants and/or easements running in form to the City of Indianapolis and County of Marion by the owner or owners of any such parcel. As a minimum in such cases, the director shall require that the following covenant be executed by the owner or owners of such parcel which shall be included in a recorded plat:

"It shall be the responsibility of the owner of any lot or parcel of land within the area of this plat to comply at all times with the provisions of the sanitary sewer construction plan approved by the department of public works and the requirements of all sanitary sewer construction permits for this plan issued by said department.

"Owner further covenants that no building, structure, tree or other obstruction shall be erected, maintained, or allowed to continue on the portion of the owners' real estate in which the easement and right-of-way is granted without express written permission from the department. Such permission, when duly recorded, shall run with the real estate. The department and its agents shall have the right to ingress and egress, for temporary periods only, over the owners' real estate adjoining said easement and right-of-way, when necessary to construct, repair or maintain sanitary sewer facilities."

(b) Any person who violates a covenant required under this section, and/or the owner of any parcel of land who permits such a violation, who is notified in writing by the department of public works or department of metropolitan development that a violation exists, shall be given a reasonable period of time, not to exceed thirty (30) days, in which to correct such violation. The notice shall specify the nature of the violation and shall stipulate a required correction date.

SECTION 6. The expressed or implied repeal or amendment by this ordinance or any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 7. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if such remaining provisions can be given the effect intended by the council in adopting this ordinance. To this end, the provisions of this ordinance are severable.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 39, 1995. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal No. 39, 1995 on February 2, 1995. The proposal, sponsored by

Councillor Boyd, amends the Revised Code concerning the Resources Development Division of the Indianapolis Department of Parks and Recreation. This proposal requires that area residents be properly notified when their parks are discussed for disposal or utilized for any purpose other than a park. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Giffin said that the Committee was not certain what process should be followed on notification. He asked Robert G. Elrod, General Counsel, to clarify the language of notification. Mr. Elrod stated that members of the Council received in their agenda packet an amended Committee version of Proposal No. 39, 1995. At the end of paragraph (6) the following sentence has been inserted: Such notice shall be given by first class mail addressed to the owners of real estate adjacent to the park in question to a depth of two ownerships or six hundred feet, which ever is less, as determined from the records of the township assessor, and by publication as required under IC 5-3-1-2(b).

Mr. Elrod said that this amendment essentially parallels the zoning notification language. Councillor Giffin moved that the amended Committee version of Proposal No. 39, 1995 be substituted for the original proposal. This motion was seconded by Councillor O'Dell, and it passed by unanimous voice vote.

Councillor Rhodes moved, seconded by Councillor Franklin, for adoption. Proposal No. 39, 1995, as amended, was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

Proposal No. 39, 1995, as amended, was retitled GENERAL ORDINANCE NO. 23, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 23, 1995

A GENERAL ORDINANCE amending the section of the Revised Code concerning the Resources Development Division of the Indianapolis Department of Parks and Recreation.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 241-501 of the "Revised Code of the Consolidated City and County" be, and is hereby amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-501. Resources development division.

The resources development division shall:

- (1) Coordinate all property transactions for the park district;
- (2) Provide stewardship of natural resource areas within the park district;
- (3) Oversee the administration of all grants;
- (4) Manage the planning, design and construction of parks and facilities and administer the capital improvement program and the resource development model; ~~and~~

- (5) Develop and manage the Indianapolis Greenways System; and
- (6) Be responsible that before any city-owned park land is disposed of or released for any purpose other than its intended use as a park, there shall be a special notice and mailing to residents in the area around the park, and that a special public hearing be required with no less than four (4) weeks advance notice to citizens in the park's vicinity. Such notice shall be given by first class mail addressed to the owners of real estate adjacent to the park in question to a depth of two ownerships or six hundred feet, which ever is less, as determined from the records of the township assessor, and by publication as required under IC 5-3-1-2(b).

SECTION 2. This ordinance shall be in full force and effect upon passage and compliance with IC 36-3-4-14.

PROPOSAL NO. 60, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 60, 1995 on February 6, 1995. The proposal, sponsored by Councillor Golc, approves an application for designation of the former Westinghouse Air Brake Company site at 217 South Belmont Street as an Industrial Recovery Site. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Golc, for adoption. Proposal No. 60, 1995 was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

Proposal No. 60, 1995 was retitled SPECIAL ORDINANCE NO. 3, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 3, 1995

A SPECIAL ORDINANCE approving an application for designation of the former Westinghouse Air Brake Company as an Industrial Recovery Site.

WHEREAS, the City of Indianapolis has suffered an economic loss with the closing of the former Westinghouse Air Brake Company; and

WHEREAS, IC 6-3.1-11 and IC 6-1.1-20.7 provide mechanisms to encourage developers to seek alternative uses for such vacant facilities and provide for certain limited incentives to developers who seek to utilize such facilities; and

WHEREAS, IC 6-1.1-20.7 provides that one of the incentives which may be provided is a property tax credit for increased inventory located on industrial recovery sites; and

WHEREAS, IC 6-3.1-11 provides that another incentive which may be provided is an industrial recovery tax credit, which would apply against the owner's state tax liability; and

WHEREAS, IC 6-3.1-11 provides that in order to qualify for such credits the vacant industrial facility must be designated as an "industrial recovery site" by the Indiana Enterprise Zone Board; and

WHEREAS, the Enterprise Zone Board may only designate a facility as an industrial recovery site if it has received an application from the executive of the municipality in which the facility is located; and

WHEREAS, the executive of the municipality may make such an application only after receiving the approval of the legislative body of the community in which the facility is located; and

WHEREAS, Belmont Warehousing Complex, Inc. intends to redevelop the former Westinghouse Air Brake Company facility to productive use; and

WHEREAS, the Mayor and the City-County Council believe that it is in the best interests of Indianapolis and Marion County to encourage the productive use of the now vacant industrial site; and

WHEREAS, the incentives provided by IC 6-3.1-11 and IC 6-1.1-20.7 will make it feasible for the project to move forward; now therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby authorizes and gives its approval of efforts by Mayor Stephen Goldsmith to make application to the Indiana Enterprise Zone Board for designation as an industrial recovery site of the former Westinghouse Air Brake Company located at 217 Belmont Avenue, as shown on the attached drawing.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 62, 1995. Councillor West reported that the Metropolitan and Development Committee heard Proposal No. 62, 1995 on February 6, 1995. The proposal amends the Dwelling Districts Zoning Ordinance addressing state statute changes to "Home Day Care." Councillor West stated that this proposal brings the local zoning ordinance in sync with the state statute licensing changes that occurred approximately one year ago. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Williams, for adoption. Proposal No. 62, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
1 NAY: *Black*

Proposal No. 62, 1995 was retitled GENERAL ORDINANCE NO. 24, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 24, 1995
METROPOLITAN DEVELOPMENT COMMISSION DOCKET NO. 95-AO-1

A GENERAL ORDINANCE amending the Dwelling Districts Zoning Ordinance of Marion County, 89-AO-2, as amended.

WHEREAS, IC 36-7-4, as amended, establishes a single planning and zoning authority in counties having consolidated cities and grants certain powers relative to the zoning and districting of land to the Metropolitan Development Commission and the City-County Council of such counties having consolidated cities, in order to unify the planning and zoning functions thereof; and,

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, has adopted and certified, pursuant to IC 36-7-4, as amended, various segments of its COMPREHENSIVE PLAN OF MARION COUNTY, INDIANA; and

WHEREAS, said IC 36-7-4, as amended, empowers the Metropolitan Development Commission (MDC) of Marion County, after such comprehensive plan certification, to recommend to the City-County Council an ordinance or ordinances for the zoning or districting of all lands within the county to the end that adequate light, air convenience of access, and safety from fire, flood and other danger may be secured; that congestion in public ways may be lessened or avoided; that property values may be preserved; and the public health, safety, comfort, morals, convenience, and general public welfare may be promoted; and,

WHEREAS, the State of Indiana, by law, prohibits local governments from enacting certain land use regulations which are in conflict with the policy of the State; and,

WHEREAS, specific uses which are by State Statute permitted in residential areas are: 1) group homes, noted by the Indiana Code as: a) residential facilities for the mentally ill; b) residential facilities for the developmentally disabled; and, 2) Child care homes (home day care).

WHEREAS, from time to time the State of Indiana may amend the Indiana Code relative to such uses; and,

WHEREAS, the Municipal Code of Marion County, Indiana, specifically the Dwelling Districts Zoning Ordinance, must also be amended to reflect changes made to the Indiana Code; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Dwelling Districts Zoning Ordinance, Appendix D of the Code of Indianapolis and Marion County, Indiana, as adopted under Metropolitan Development Commission docket numbers 89-AO-2, 90-AO-3, 92-AO-1, 92-AO-3, and 93-AO-4, pursuant to IC-36-7-4, is further amended as follows:

A. That Section 2.15, A, 5 be amended by inserting the underscored language as follows:

5. Accessory uses, as enumerated below:

- a. Manager's office and apartment: project maintenance equipment storage facility.
- b. Common recreation and service buildings, structures and areas, including laundry facilities.
- c. Open storage areas.
- d. Accessory parking areas.
- e. Carports, canopies, covered patios, storage rooms, mini-barns, porches, awnings, swings and other play structures or equipment, provided the height thereof shall not exceed ten (10) feet, measured from the finished mobile dwelling site grade, and that floors of carports, patios, storage rooms and porches shall be of concrete or other permanent pavement.
- f. Wholesale and retail sales of mobile dwellings conducted as a business by dealers of mobile dwelling project owners/operators shall be prohibited in the D-11 district. Except, however, a mobile dwelling project owner/operator may display not more than six (6) "model" mobile dwellings on mobile dwelling sites in the interior of the project, provided such model units shall not be displayed for sale or removal outside the project; and further provided that no signs relative to the "model" units shall be installed so as to be visible to the public outside the project.
- g. An incidental model home sign, as regulated in the Sign Regulations of Marion county, Indiana (71-AO-4, as amended) shall be permitted for each "model" mobile dwelling. Provided further, however, nothing contained herein shall restrict the right of any individual owner of any mobile dwelling unit to sell or lease such unit.

h. Child Care Home

B. That Section 2.19, A be amended by inserting the underscored language as follows:

A. Permitted accessory uses

The following Accessory Uses shall be permitted in all Dwelling Districts, except the D-11 Dwelling District (see Section 2.15, A, 5 for permitted accessory uses in this District), subject to the Accessory Use Requirements of Section 2.19, B and the Dwelling District Regulations of Section 2.00;

C. That Section 2.19, A, 10, be amended by deleting the stricken-through language and inserting the underscored language as follows:

~~10. Day care of children unrelated to the residents by blood or adoption where care is provided for no more than ten children on a full-time basis and no more than five additional children on a part-time basis; provided however, where care is provided for more than five children, the day~~

~~care provider shall be licensed in accordance with the requirements of the State of Indiana. Provided further, no sign shall be displayed. For the purposes of this ordinance, the day care of children, as described above, shall not be considered a Home Occupation.~~

10. Child care home, as defined in Section 2.25 and as regulated by IC 12-17.2 and rules adopted by the Division of Family and Children or the Fire Prevention and Building Safety Commission of the State of Indiana. For purposes of this ordinance, a child care home shall not be considered a home occupation.

D. That Section 2.20, A, be amended by inserting the underscored language as follows:

A. Permitted home occupations

Certain professions and domestic occupations, crafts and services defined below as "permitted home occupations" shall be permitted in all Dwelling Districts (except the D-11 District) and in any other zoning district in Marion County permitted dwelling uses, provided that each such home occupation complies with all requirements set forth in section 2.20, B hereof.

Professions and domestic occupations, crafts or services which, as typically carried out, can be conducted in a dwelling without impairment of the use thereof as a place of residence and with no detrimental effect upon adjacent residential properties, as permitted home occupations. Examples of professional services which constitute permitted home occupations include law, medicine, dentistry, architecture, engineering, real estate brokerage, tutoring, writing, painting, music instruction, photography and such services as are provided by clergyman, insurance agents, notaries public and manufacturer's agents. Examples of domestic occupations, crafts and services which constitute permitted home occupations include dressmaking, millinery, sewing, tailoring, weaving, hair grooming, washing, ironing and cabinet making.

For purposes of this ordinance, a child care home shall be considered an accessory use, and not a home occupation.

E. That Section 2.25, B be amended by deleting the stricken-through language and inserting the underscored language as follows:

22. Child, per IC 12-7-2-28: An individual who is less than eighteen (18) years of age.
23. Child care, per IC 12-7-2-28.2: A service that provides for the care, health, safety, and supervision of a child's social, emotional, and educational growth.
24. Child care home, per IC 12-7-2-28.6:
- a. a residential structure in which at least six (6) children (not including the children for whom the provider is a parent, stepparent, guardian, custodian or other relative) at any time receive child care from a provider:
- (1) While unattended by a parent, legal guardian, or custodian;
(2) For regular compensation; and
(3) For more than four (4) hours but less than twenty-four (24) hours in each of ten (10) consecutive days per year, excluding intervening Saturdays, Sundays, and holidays.
- b. The term includes:
- (1) A class I child care home;
(2) A class II child care home; and
(3) Exempt Licenses - per IAC 3-1.1-26.
25. Class I Child Care Home, per IC 12-7-2-33.7:
- a. A child care home that serves any combination of full-time and part-time children, not to exceed twelve (12) children at any one time.
- b. A child:

- (1) for whom the provider of care is a parent, stepparent, guardian, custodian or other relative; and
- (2) who is at least seven (7) years of age shall not be counted in determining whether the child care home is within the limit set forth in subsection (a).

26. Class II Child Care Home, per IC 12-7-2-33.8:

- a. a child care home that serves more than twelve (12) children but not more than any combination of sixteen (16) full-time and part-time children at any one time.

- b. A child:

- (1) for whom the provider of care is a parent, stepparent, guardian, custodian, or other relative; and
 - (2) who is at least seven (7) years of age;

shall not be counted in determining whether the child care home is within the limit set forth in subsection (a).

~~70-75.~~ Group home: A residential facility for the developmentally disabled (as defined by IC 12-7-2-166) or a residential facility for the mentally ill (as defined by IC 12-7-2-167), licensed by the Community Residential Facilities Council, or its successor in authority in accordance with a program described in law, and defined per Indiana Code 16-13-21;

- a. IC 12-11-1 (residential facility for the developmentally disabled); or

- b. IC 12-22-2-3(2) through 12-22-2-3(6) (residential facility for the mentally ill).

F. That Section 2.25, B be amended by renumbering the definitions to accommodate the additions noted in C above.

SECTION 2. If any section of this ordinance shall be invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 3. This ordinance shall be in full force and effect upon its adoption in compliance with IC 36-7-4.

PROPOSAL NO. 64, 1995. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal No. 64, 1995 on February 2, 1995. The proposal amends Sec. 22-2 of the Code to provide penalties for persons unlawfully sledding in City parks and golf courses. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Giffin said that the Department of Parks and Recreation ("DPR") initiated this proposal because (1) of a concern about liability, and (2) to contain sledding where it is safe and where certain park areas would not be disrupted. DPR now hopes to withdraw it. The public misunderstood the proposal. DPR will initiate another ordinance at a later date that deals with liability and safety. Councillor Giffin moved, seconded by Councillor Moriarty Adams, to table Proposal No. 64, 1995. This motion passed by unanimous voice vote.

PROPOSAL NO. 66, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 66, 1995 on January 25, 1995. The proposal amends Sec. 2-358 of the Code to allow Marion County to receive deposits from the Indiana Department of Corrections into the County Corrections Fund. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor

Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 66, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Shambaugh*

Proposal No. 66, 1995 was retitled GENERAL ORDINANCE NO. 25, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 25, 1995

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by amending Section 2-358, of Article IX, Chapter 2.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 2-358 of Article IX, Chapter 2 of the Code of Indianapolis and Marion County is hereby amended by inserting the words or symbols underlined and deleting the words or symbols stricken-through as follows:

Sec. 2-358. County corrections fund.

(a) The city-county council hereby elects to receive deposits from the department of corrections in accordance with IC 11-12-6.

(b) The city-county council hereby elects to receive such deposits at level 3 funding. Level 3 funding shall be equal to \$3,500 times 84 (Marion County base integer) or \$294,000 for the year ending April 30, ~~1995~~ 1996.

(c) There is hereby created a "county corrections fund", to be administered by the city-county council. The fund shall consist of deposits received from the department of corrections in accordance with IC 11-12-6-13.

(d) The county corrections fund may be used only for funding the operation of the county jail, jail programs, or other local correctional facilities. Any money remaining in a county corrections fund at the end of the year does not revert to any other fund but remains in the county corrections fund.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions can, without the invalid provision or provision, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

Councillor Rhodes stated that in the Council's packet for this meeting was an informational sheet concerning the Auditor's and the Treasurer's Computer Program Redevelopment of the Property Tax Financial System. The public hearing on this matter will be on February 27, 1995, and Councillor Rhodes recommended that the Councillors read the material.

The President said that the docketed agenda for this meeting of the Council had been completed, the Chair would now entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Beadling in memory of Richard L. Roudebush; and
- (2) Councillor Moriarty Adams in memory of Joseph W. McNevin, Margaret Reckley, Kenneth E. Routh, and Pauline Sherrill.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Richard L. Roudebush, Joseph W. McNevin, Margaret Reckley, Kenneth E. Routh, and Pauline Sherrill. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

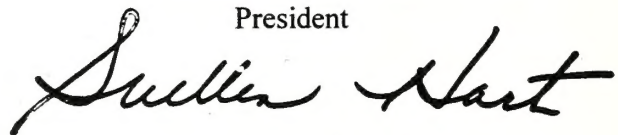
There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:05 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 13th day of February, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President



Clerk of the Council

ATTEST:

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, FEBRUARY 27, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m. on Monday, February 27, 1995, with Councillor SerVaas presiding.

Councillor Golc introduced Rev. Kenneth Taylor, Holy Trinity Catholic Church, who led the opening prayer. Councillor Golc invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Short recognized two of his constituents, Mr. and Mrs. Woody Vandivier; Mr. Vandivier is a former member of the Board of Public Works. Councillors Gilmer and Jones also welcomed Mr. and Mrs. Vandivier.

Councillor O'Dell announced that the Cooperative Extension Office wished to make a presentation to the Council. Representing the Cooperative Extension Office was Ned Kalb, Executive Director; Joe Irney, President, Marion County Extension Board, and President Marion County Extension Programs, Inc.; and Bob Seymour, Treasurer, Marion County Extension Programs, Inc. They presented a framed print entitled *City Dreams*, a pictorial of 4-H today, to the Council.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, February 27, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

February 14, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA AND THE INDIANAPOLIS POLICE SPECIAL SERVICE DISTRICT COUNCIL:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, February 16, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 55, 56, 69, 71, 72, 73, 121, 122, 123, 126 and 162, 1995, said hearing to be held on Monday, February 27, 1995, at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

February 23, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Tuesday, February 28, 1995, a copy of a LEGAL NOTICE TO TAXPAYERS on General Ordinances Nos. 18, 19, 20, 21 and 22, 1995.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

February 16, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

GENERAL ORDINANCE NO. 18, 1995 - amending the Code by deleting certain regulations of business practices

February 27, 1995

GENERAL ORDINANCE NO. 19, 1995 - recodifying and amending the Code concerning hotels and places of public lodging

GENERAL ORDINANCE NO. 20, 1995 - amending the Revised Code by making certain changes in the regulation of adult entertainment establishments

GENERAL ORDINANCE NO. 21, 1995 - amending the Code concerning the regulation of pawnbrokers and dealers in secondhand merchandise

GENERAL ORDINANCE NO. 22, 1995 - amending the Revised Code concerning industrial wastewater pretreatment

GENERAL ORDINANCE NO. 23, 1995 - amending the Revised Code concerning the Resources Development Division of the Indianapolis Department of Parks and Recreation

GENERAL ORDINANCE NO. 25, 1995 - amending Sec. 2-358 of the Code to allow Marion County to receive deposits from the Indiana Department of Corrections into the County Corrections Fund

SPECIAL ORDINANCE NO. 3, 1995 - approving an application for designation of the former Westinghouse Air Brake Company site at 217 South Belmont Street as an Industrial Recovery Site

SPECIAL RESOLUTION NO. 8, 1995 - congratulating the Washington High School Continentals City Basketball Champions

SPECIAL RESOLUTION NO. 9, 1995 - recognizing former Sheriff Joseph G. McAtee

SPECIAL RESOLUTION NO. 10, 1995 - recognizing Prosecutor Jeffrey A. Modisett

SPECIAL RESOLUTION NO. 11, 1995 - recognizing the community of Oaklandon

SPECIAL RESOLUTION NO. 12, 1995 - concerning the Smithsonian exhibit of the Enola Gay

SPECIAL RESOLUTION NO. 13, 1995 - encouraging citizens to share with law enforcement officials information about specific crimes and crime related activity in their communities

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of February 13, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 169, 1995. This proposal, sponsored by Councillor Dowden, recognizes the 67th Fire Department Instructors' Conference in Indianapolis. Councillor Dowden read the resolution and presented a copy of the document to Peter Beering, Department of Public Safety, who expressed appreciation for the resolution. Also present were members from the Indianapolis Fire Department. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 169, 1995 was adopted by unanimous voice vote.

Proposal No. 169, 1995 was retitled SPECIAL RESOLUTION NO. 14, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 14, 1995

A SPECIAL RESOLUTION recognizing the 67th Fire Department Instructors' Conference in Indianapolis.

WHEREAS, the 67th Annual Fire Department Instructors' Conference was held in Indianapolis February 1 - 8, 1995; and

WHEREAS, some 14,700 fire professionals from the career, volunteer and industrial ranks from all fifty states and nine foreign countries attended the conference; and

WHEREAS, this conference and its trade show are the largest single fire service conference of its type in the United States, with an economic impact in excess of \$10 million; and

WHEREAS, a ten-month Herculean effort was required to prepare for the huge conference; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council commends the cooperative efforts of the Indianapolis Department of Public Safety, the Indianapolis Fire Department, Indianapolis Professional Firefighters Local 416, The International Society of Fire Service Instructors (and Mr. Ed McCormack, its Executive Director), the Alliance for Fire and Emergency Management, the Indiana Convention and Visitors Association, the Indiana Convention Center and RCA Dome, the Marion County Fire Chiefs' Association and their Fire Departments and the Marion County Urban Search and Rescue Task Force who all helped make this the best Instructors' Conference ever.

SECTION 2. The Council applauds the commitment to teamwork, excellence, safety, education and innovation embodied by the conference and its programming.

SECTION 3. The Council commends those participants for their efforts to make both Indianapolis and the many communities represented at the conference safer places in which to live and work.

SECTION 4. The Council and this city extend a warm invitation to the conference organizers and participants to return again in February, 1996.

SECTION 5. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 170, 1995. This proposal, sponsored by Councillor O'Dell, recognizes the East Indianapolis Sertoma Club. Councillor O'Dell read the resolution and presented a copy of the document to Deborah Hammel, President, East Indianapolis Sertoma Club, who expressed appreciation for the recognition. Paul Browne, Administrator, Children's Guardian Home, voiced his appreciation to the Sertoma Club for its assistance to the Children's Guardian Home over the years. Councillor O'Dell moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 170, 1995 was adopted by unanimous voice vote.

Proposal No. 170, 1995 was retitled SPECIAL RESOLUTION NO. 15, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 15, 1995

A SPECIAL RESOLUTION recognizing the East Indianapolis Sertoma Club.

WHEREAS, the East Indianapolis Sertoma Club was chartered by Sertoma International in 1955, and this year is celebrating its 40th Anniversary; and

WHEREAS, Sertoma's expressed mission is "Service to Mankind," and the East Indianapolis Sertoma Club works hard to live up to that goal by, among other activities, having established Camp Sertoma in Southeastern

Marion County which has served thousands of young people in a setting of nature appreciation and healthful outdoor recreation; and

WHEREAS, the Club raised over \$30,000 for charity in 1994, sent over 500 children to Camp Sertoma, runs a specialized "stutterers" camp, has \$10,000 in this year's budget to help the Marion County Children's Guardian Home and sponsors recreational and educational outings for the Guardian Home's young people; and

WHEREAS, the East Indianapolis Sertoma Club with 180 men and women members is the largest Sertoma club in North America, and during its 40 years of existence has spawned more than 35 other Sertoma clubs throughout Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates the East Indianapolis Sertoma Club for its 40 years of Service to Mankind.

SECTION 2. One of the reasons why Indianapolis is great is because so many of its citizens are willing to band together in voluntary organizations like the East Indianapolis Sertoma Club to give a helping hand to young people and to those who are less fortunate than themselves.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 171, 1995. This proposal, sponsored by Councillors Hinkle, Curry, Giffin and Shambaugh, remembers the life of former Deputy Mayor Harry E. Eakin. Councillor Hinkle read the resolution and said that a copy of the document would be presented to the family at a later time. Councillor Hinkle moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 171, 1995 was adopted by unanimous voice vote.

Proposal No. 171, 1995 was retitled SPECIAL RESOLUTION NO. 16, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 16, 1995

A SPECIAL RESOLUTION remembering the life of former Deputy Mayor Harry E. Eakin.

WHEREAS, Harry E. Eakin was the Deputy Mayor of Indianapolis under former Mayor William H. Hudnut, was elected as Marion County Auditor, was the state Insurance Commissioner, served on the Speedway Town Board and was the town's police commissioner, and was a Republican precinct committeeman, ward chairman and Party stalwart; and

WHEREAS, Mr. Eakin was born in Spencer, Indiana, was a World War II veteran, and was a graduate of Indiana University; and

WHEREAS, as Insurance Commissioner he helped resolve a tough three billion dollar insurance company insolvency so that innocent policyholders would not be hurt, and as Deputy Mayor he often shared in the top role of Chief Executive of the largest city in Indiana; and

WHEREAS, Harry Eakin was a polite, quiet, gentleman who was very generous with a smile, and had many friends who were blessed to have known him; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council pauses to remember the life and contributions of Harry E. Eakin who was a contributor to the vitality of Indianapolis until he was called to his Heavenly Reward on St. Valentine's Day, February 14, 1995.

SECTION 2. The Town of Speedway and City of Indianapolis are enriched because of citizens like Harry Eakin who so generously give of their time and talent in public service.

SECTION 3. May God grant His Peace and Healing Grace to the family members and many friends who were a part of the life of Harry Eakin.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 182, 1995. This proposal, sponsored by Councillor Beadling, recognizes the 50th anniversary of the *Lawrence Township Journal* newspaper. Councillor Beadling read the resolution and presented a copy of the document to the Journal's owner Joseph Zainey, who expressed appreciation for the recognition. Councillor Beadling moved, seconded by Councillor McClamroch, for adoption. Proposal No. 182, 1995 was adopted by unanimous voice vote.

Proposal No. 182, 1995 was retitled SPECIAL RESOLUTION NO. 17, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 17, 1995

A SPECIAL RESOLUTION recognizing the 50th anniversary of the *Lawrence Township Journal* newspaper.

WHEREAS, the *Lawrence Township Journal* recently celebrated its 50th year of reporting local news about the Lawrence Township community; and

WHEREAS, the *Journal* made its debut during World War II in 1944 when FDR was President and the Town of Lawrence had just over 1,000 residents; and

WHEREAS, during the next 50 years the weekly newspaper reported upon the World War II victory, Lawrence's Centennial in 1950, Morris Settles becoming the City of Lawrence's Mayor in 1960, school news, community calendars and wedding announcements; and

WHEREAS, in 1973, the *Lawrence Township Journal* was purchased by Joseph E. Zainey, a retired Air Force Colonel who in the Service was a Public Information Officer; and

WHEREAS, ten years later the Ad-Courier was added to the Zainey family corporation, increasing the combined readership to nearly 25,000; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the *Lawrence Township Journal* for its 50 years of keeping Lawrence residents informed.

SECTION 2. The Council wishes the Paper well in the future.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The President stated that Proposal Nos. 24, 34, 35, 38, 57, 76 and 77, 1995 are all council resolutions, were heard by various committees and would be voted on together. Councillor Short asked that Proposal No. 77, 1995 be voted on separately.

PROPOSAL NO. 24, 1995. The proposal reappoints Howard Howe to the Board of Capital Asset Management. PROPOSAL NO. 34, 1995. The proposal reappoints Patricia M. Nickell to the Marion County Public Defender Board. PROPOSAL NO. 35, 1995. The proposal reappoints Dennis Nicholas, M.D. to the Indianapolis-Marion County Forensic Board. PROPOSAL NO. 38, 1995. The proposal reappoints Urban I. Merl, Jr. to the Alcoholic Beverage Board of Marion County. PROPOSAL NO. 57, 1995. The proposal approves the Mayor's appointment of Greg L. Henneke as Director of the Department of Capital Asset Management for a term ending December 31, 1995. PROPOSAL NO. 76, 1995. The proposal approves the Mayor's appointment of Nancy Silvers as Deputy Mayor for a term ending December 31, 1995. Councillor McClamroch moved these proposals for adoption. Proposal Nos. 24, 34, 35, 38, 57 and 76, 1995 were adopted by unanimous voice vote.

Proposal No. 24, 1995 was retitled COUNCIL RESOLUTION NO. 25, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 25, 1995

A COUNCIL RESOLUTION reappointing Howard Howe to the Board of Capital Asset Management.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Capital Asset Management, the Council appoints:

Howard Howe

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 34, 1995 was retitled COUNCIL RESOLUTION NO. 26, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 26, 1995

A COUNCIL RESOLUTION reappointing Patricia M. Nickell to the Marion County Public Defender Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Public Defender Board, the Council appoints:

Patricia M. Nickell

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 35, 1995 was retitled COUNCIL RESOLUTION NO. 27, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 27, 1995

A COUNCIL RESOLUTION reappointing Dennis Nicholas, M.D. to the Indianapolis-Marion County Forensic Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis-Marion County Forensic Board, the Council appoints:

Dennis Nicholas, M.D.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 38, 1995 was retitled COUNCIL RESOLUTION NO. 28, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 28, 1995

A COUNCIL RESOLUTION reappointing Urban I. Merl, Jr. to the Alcoholic Beverage Board of Marion County.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Alcoholic Beverage Board of Marion County, the Council appoints:

Urban I. Merl, Jr.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 57, 1995 was retitled COUNCIL RESOLUTION NO. 29, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 29, 1995

A COUNCIL RESOLUTION approving the Mayor's appointment of Greg L. Henneke as Director of the Department of Capital Asset Management for a term ending December 31, 1995.

WHEREAS, pursuant to IC 36-3-5-2 and Section 271-11 of the "Revised Code of the Consolidated City and County, Indiana", a mayoral appointment of the Director of Capital Asset Management is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Greg L. Henneke to serve as Director of Capital Asset Management at his pleasure for a term ending December 31, 1995; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Greg L. Henneke is approved and confirmed by the City-County Council to serve as Director of Capital Asset Management at the pleasure of the Mayor for a term ending December 31, 1995.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 76, 1995 was retitled COUNCIL RESOLUTION NO. 30, 1995 and reads as follows:

February 27, 1995

CITY-COUNTY COUNCIL RESOLUTION NO. 30, 1995

A COUNCIL RESOLUTION approving the Mayor's appointment of Nancy Silvers as Deputy Mayor for a term ending December 31, 1995.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-4 of the "Revised Code of the Consolidated City and County, Indiana", mayoral appointments of Deputy Mayors are subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Nancy Silvers to serve as a Deputy Mayor at his pleasure for a term ending December 31, 1995; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Nancy Silvers is approved and confirmed by the City-County Council to serve as a Deputy Mayor at the pleasure of the Mayor for a term ending December 31, 1995.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 77, 1995. The proposal approves the Mayor's appointment of Joseph E. Loftus as Deputy Mayor and Director of the Department of Administration for a term ending December 31, 1995. Councillor McClamroch moved this proposal for adoption. Proposal No. 77, 1995 was adopted by the following roll call vote; viz:

26 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

3 NOT VOTING: Beadling, Franklin, Ruhmkorff

Proposal No. 77, 1995 was retitled COUNCIL RESOLUTION NO. 31, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 31, 1995

A COUNCIL RESOLUTION approving the Mayor's appointment of Joseph E. Loftus as Deputy Mayor and Director of the Department of Administration for a term ending December 31, 1995.

WHEREAS, pursuant to IC 36-3-5-2 and Sections 201-4 and 222-11 of the "Revised Code of the Consolidated City and County, Indiana", a mayoral appointment of a Deputy Mayor and of the Director of the Department of Administration is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Joseph E. Loftus to serve as a Deputy Mayor and Director of the Department of Administration at his pleasure for a term ending December 31, 1995; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Joseph E. Loftus is approved and confirmed by the City-County Council as a Deputy Mayor, and ex officio Director of the Department of Administration at the pleasure of the Mayor for a term ending December 31, 1995.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 163, 1995. Introduced by Councillors Shambaugh and Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE repealing Sec. 17-192 of the Code so as to require licensing of amusement machines located on premises controlled by holders of Alcoholic Beverage permits and by benevolent, religious, educational, civic, patriotic, fraternal and philanthropic organizations beginning July 1, 1995"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 164, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$1,081,857 for the County Sheriff to pay for expenses at Riverside Community Corrections facility, prisoner food and medical care, FOP contract and fringe benefits financed by additional revenue generated from wrecker fees, special deputy fees and machine permit fees in the amount of \$315,000 and the balance financed by the unappropriated fund balance"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 165, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$145,697 for the Superior Court, Juvenile Division/Detention Center, for a one-time appropriation to fund the balance of the Court/Center computer and a recurring appropriation to fund various maintenance agreements financed by the unappropriated fund balance"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 166, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$45,000 for the Superior Court, Juvenile Division/Detention Center, to provide for an attorney for Child Advocates, Inc. financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 167, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Local Emergency Planning and Right to Know Fund in the amount of \$70,500 for the County Auditor to cover the cost associated with the preparation of the Marion County Hazardous Materials Response Plan and the cost of providing community right to know information for Marion County financed by revenues from that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 168, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Sec. 13-1 of the Code by making technical amendments regarding solid waste collection"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 177, 1995. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a

multi-way stop at Winthrop Avenue and 44th Street (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 178, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Carlton Curry to the Cable Franchise Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 179, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Lance L. Bundles to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 180, 1995 was withdrawn.

PROPOSAL NO. 181, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Ron Franklin to the Public Housing Board"; and the President referred it to the Metropolitan Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 172, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on February 23, 1995." The Council did not schedule Proposal No. 172, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 172, 1995 was retitled REZONING ORDINANCE NO. 35, 1995 and is identified as follows:

REZONING ORDINANCE NO. 35, 1995. 94-Z-127 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 5.
7006 OAKLANDON ROAD (approximate address), CITY OF LAWRENCE.
LARRY FITZGERALD requests the rezoning of 5 acres, being in the D-A District, to the D-4 classification to provide for single-family residential development.

PROPOSAL NOS. 173-174, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on February 23, 1995." The Council did not schedule Proposal Nos. 173-174, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 173-174, 1995 were retitled REZONING ORDINANCE NOS. 36-37, 1995 and are identified as follows:

REZONING ORDINANCE NO. 36, 1995. 94-Z-137A WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT # 2.
615 WEST 63RD STREET (approximate address), INDIANAPOLIS.
ORCHARD SCHOOL FOUNDATION, by Michael L. Coppes, requests the rezoning of 3.00 acres, being in the D-2 District, to the SU-2 classification to provide for school use.

REZONING ORDINANCE NO. 37, 1995. 94-Z-137B WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT # 2.
615 WEST 63RD STREET (approximate address), INDIANAPOLIS.
ORCHARD SCHOOL FOUNDATION, by Michael L. Coppes, requests the rezoning of 11.00 acres, being in the D-2 District, to the SU-2 classification to provide for school use.

PROPOSAL NOS. 175-176, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on February 23, 1995." The Council did not schedule Proposal Nos. 175-176, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 175-176, 1995 were retitled REZONING ORDINANCE NOS. 38-39, 1995 and are identified as follows:

REZONING ORDINANCE NO. 38, 1995. 95-Z-2 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 15.

941 and 947 NORTH KEYSTONE AVENUE (approximate address), INDIANAPOLIS.
EASTSIDE COMMUNITY INVESTMENTS, by Zoe Urena Weiss, requests the rezoning of 0.30 acre, being in the C-2 and D-5 District, to the C-2 classification to provide for development of a neighborhood health care center.

REZONING ORDINANCE NO. 39, 1995. 94-Z-189 (Amended) WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 13.

11794 EAST PROSPECT STREET (approximate address), INDIANAPOLIS.
H.P.H., INC. and HAROLD SCHMITT, by David T. Whisler, request the rezoning of 53.6 acres, being in the D-A District, to the D-2 classification to provide for single-family residential development.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NOS. 55 and 56, 1995. Councillor Rhodes discussed these two proposals together. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal Nos. 55 and 56, 1995 on February 7, 1995. PROPOSAL NO. 55, 1995. The proposal is an appropriation from the County General Fund in the amount of \$437,812 for the County Auditor to fund the cost of the redevelopment of the property tax financial system financed by unappropriated revenues in the County General Fund. PROPOSAL NO. 56, 1995. The proposal is an appropriation from the Information Services Internal Services Fund in the amount of \$437,812 for the Information Services Agency to fund the cost of the redevelopment of the property tax financial system financed by revenues from that fund. Councillor Rhodes said that a conversion of the property tax financial system to a more flexible, less cumbersome system, will produce significant improvements over the shortest period of time possible. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass as amended.

The President called for public testimony on Proposal No. 55, 1995 at 7:59 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Jimison, for adoption. Proposal No. 55, 1995, as amended, was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

0 NAYS:

2 NOT VOTING: Hinkle, Williams

Proposal No. 55, 1995, as amended, was retitled FISCAL ORDINANCE NO. 1, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 1, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Four Hundred Thirty-seven Thousand Eight Hundred Twelve Dollars

(\$437,812) in the County General Fund for purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the redevelopment of the property tax financial system.

SECTION 2. The sum of Four Hundred Thirty-seven Thousand Eight Hundred Twelve Dollars (\$437,812) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>437,812</u>
TOTAL INCREASE	437,812

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>437,812</u>
TOTAL REDUCTION	437,812

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The President called for public testimony on Proposal No. 56, 1995 at 8:00 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 56, 1995, as amended, was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Short, Smith, West*

0 NAYS:

5 NOT VOTING: *Giffin, Golc, Hinkle, Shambaugh, Williams*

Proposal No. 56, 1995 was retitled FISCAL ORDINANCE NO. 2, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 2, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Four Hundred Thirty-seven Thousand Eight Hundred Twelve Dollars (437,812) in the Information Services Internal Services Fund for purposes of Information Service Agency and reducing the unappropriated and unencumbered balance in the Information Services Internal Services Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(zz) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Information Services Agency to fund the redevelopment of the property tax financial system.

SECTION 2. The sum of Four Hundred Thirty-seven Thousand Eight Hundred Twelve Dollars (437,812) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>INFORMATION SERVICES AGENCY</u>	<u>INFORMATION SERVICES INTERNAL SERVICES FUND</u>
3. Other Services and Charges	324,600
4. Capital Outlay	<u>113,212</u>
TOTAL INCREASE	437,812

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>INFORMATION SERVICES INTERNAL SERVICES FUND</u>
Unappropriated and Unencumbered	
Information Services Internal Services Fund	<u>437,812</u>
TOTAL REDUCTION	437,812

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 69, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 69, 1995 on January 25, 1995. The proposal is the transfer of \$310,000 from the County General Fund to the Supplemental Public Defender Fund to make up the 1994 revenue shortfall in the Supplemental Public Defender Fund financed by unappropriated revenues in the County General Fund. By a 5-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden said that there are still questions about this appropriation; therefore, he moved to postpone Proposal No. 69, 1995 until March 20, 1995. Councillor Short seconded the motion, and it passed by unanimous voice vote.

PROPOSAL NOS. 70 and 71, 1995. Councillor Dowden discussed these proposals together. PROPOSAL NO. 70, 1995. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$329,476 for the Prosecuting Attorney, Marion County Public Defender Agency, Court Administrator Agency, and the County Auditor to fund the Expedited Trial Program which is a joint effort to reduce the population at the Marion County Jail financed by a state grant. PROPOSAL NO. 71, 1995. The proposal is an appropriation from the Drug Free Community Fund in the amount of \$230,000 for the Court Administrator Agency, Marion County Public Defender Agency, Prosecuting Attorney, and the County Auditor to provide the matching funds required by the grant awarded for the Expedited Trial Program financed by revenues from the Drug Free Community Fund. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 70 and 71, 1995 on February 22, 1995. Both of these proposals are to provide the funding for the Expedited Trial Program in Marion County. Much of the jail overpopulation problem is created by the delay of bringing people to trial. By a 6-0 vote, the Committee reported Proposal No. 70, 1995 to the Council with the recommendation that it do pass as amended. By a 4-1-1 vote, the Committee reported Proposal No. 71, 1995 to the Council with the recommendation that it do pass as amended.

Councillor Moriarty Adams stated that she will be voting against the passage of Proposal No. 71, 1995. It is not because she is against the Expedited Trial Program, but because of the lack of communication she feels existed between the I-Challenge Board ("Board") and the Auditor's Office. She has been told, however, that this situation has been rectified. She is a Board member. A few weeks ago the Auditor appeared before the Board to inform them

that he would be using some \$230,000 of the I-Challenge monies to provide for what is now Proposal No. 71. Councillor Moriarty Adams stated that the question asked by many of the groups within I-Challenge is why is their project unfunded, yet \$230,000 can be taken quite easily and is readily available.

Councillor Golc said that he supports Proposal No. 71. It is his understanding that this proposal will go in some manner towards reducing the cocaine problem that he sees as a growing problem on the near westside.

Councillor Williams asked why this proposal did not go through the process. Councillor Dowden replied that the Expedited Trial Program is a state-authorized program. The Board is a local community coordinating council that reviews proposals and designs a comprehensive plan for attacking the drug and alcohol abuse in the criminal area. It then makes a recommendation to this Council as to which programs should be funded after the programs have been approved by the state. These monies are all generated in the County court system. Part of the money is sent to the state, part is retained. The County's portion is divided as follows: 25% prevention; 25% counseling; 25% enforcement; and 25% discretionary. The Expedited Trial Program qualifies within the discretionary area. Councillor Dowden said that he believes that the Board's communication problem has been corrected.

Councillor Williams said that was very informative, but it did not answer her question. She asked if it would not be appropriate to ask the Auditor to take this request through the process. Councillor Dowden said the Board indicated to him that there would be no objection if this proposal were adopted by the Council.

Pam King, Chairman of the I-Challenge Board, stated that the Board has concerns about the process as well. In prior years the funding decision was not made at the county level; it was made at the state level. The Board does a needs assessment in the community and then develops a comprehensive plan so that the funding can then be disbursed according to the community's needs. Proposals are then received from throughout the community, and in years past, recommendations were made to the state. This is the first year that the Board has made recommendations at a county level, which is through the Justice Agency Board. Recommendations are submitted to the Justice Agency Board which decides which ones to recommend to the Public Safety and Criminal Justice Committee. The Board recommends that no program be funded in excess of \$50,000 because the Board wants to see the funds disbursed throughout the community to as many programs as possible. There are some requests that are over \$50,000, one of which was from the Auditor's Office for a pilot program for this particular jail overcrowding issue. It was for \$97,000 and it was funded. The Auditor did come before the Board and indicate that the County would need another \$230,000 for this program.

Councillor Jimison suggested that Proposal No. 70, 1995 be voted on at this time, and then address the issues affecting Proposal No. 71.

The President called for public testimony on Proposal No. 70, 1995 at 8:18 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 70, 1995, as amended, was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

Proposal No. 70, 1995, as amended, was retitled FISCAL ORDINANCE NO. 3, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 3, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Three Hundred Twenty-nine Thousand Four Hundred Seventy-six Dollars (\$329,476) in the State and Federal Grants Fund for purposes of the County Auditor, Marion County Public Defender Agency, Prosecuting Attorney and the Court Administrator Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b), (v), (w), and (ww) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Expedited Trial Program which is a joint effort between the County Auditor, Marion County Public Defender Agency, Prosecuting Attorney and the Court Administrator Agency to reduce the population at the Marion County Jail.

SECTION 2. The sum of Three Hundred Twenty-nine Thousand Four Hundred Seventy-six Dollars (\$329,476) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	139,500
<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	
1. Personal Services	41,250
<u>COURT ADMINISTRATOR AGENCY</u>	
1. Personal Services	87,000
<u>COUNTY AUDITOR</u>	
1. Personal Services - Fringes	61,726
TOTAL INCREASE	329,476

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	329,476
TOTAL REDUCTION	329,476

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

[Clerk's note: Discussion on Proposal No. 71, 1995 continued.]

Councillor Jimison asked the County Auditor if he is authorized to transfer funds from an account such as the I-Challenge account without consulting with its board. John von Arx, County Auditor, said that the Council has that authority. He said that he supports this proposal and that it meets the legal qualifications.

Councillor Short asked Ms. King what her recommendation is on Proposal No. 71, 1995. Ms. King said that is a difficult question to answer. Her recommendation is that the next time the Board brings a funding proposal before this body, that it be accepted 100% and no changes be made to it.

Councillor West said that he believes that this is a flawed system. One body designs a plan which is submitted to the state, but not to the appropriating body. Problem No. 18 in the Board's comprehensive plan is lack of ample court staff to move drug related cases through the criminal justice system--which is what the Council is addressing with this proposal. Many of the Councillors believe that the most critical issue is to relieve the jail overcrowding. The Board may not agree with this. He believes that the legislature should change this process so that local government is better represented in this whole effort. Councillor West said that Proposal No. 71, 1995 should be adopted because it is such a crucial issue.

Councillor Dowden moved the previous question. Councillor Schneider seconded the motion, and it passed by unanimous voice vote.

The President called for public testimony at 8:38 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 71, 1995, as amended, was adopted on the following roll call vote; viz:

20 YEAS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, McClamroch, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West
8 NAYS: Black, Boyd, Brents, Gray, Jones, Moriarty Adams, Mullin, Williams
1 NOT VOTING: Short

The President said he believes it is a flawed bill. There are two groups with different opinions--one the appropriating body, and the other an advisory group. He believes the law should be specific on just how this process should work and the advisory group's mission should be clarified.

Councillor Williams stated that the jail overcrowding is a very serious problem, but running people in and out of that jail does not solve the drug problem. They are both serious problems, but they are two different problems.

Councillor Jimison said that she voted for this proposal because she understands that this appropriation will speed to justice cases involving drug dealers and will hasten their departure to places of incarceration. Councillor Borst said he voted for this proposal because he has faith that the County Auditor and the Board Chairman will be able to work together. Councillor Franklin voted for Proposal No. 71 because he believes the County Auditor has a county-wide vision of what is best for the County.

Councillor Curry said that this proposal is aimed at reducing the length of time that people have to stay in jail, especially those people who populate the jail for an average of 150 days awaiting trial.

Proposal No. 71, 1995 was retitled FISCAL ORDINANCE NO. 4, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 4, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Two Hundred Thirty Thousand Dollars (\$230,000) in the Drug Free Community Fund for purposes of the Court Administrator Agency, Marion County Public Defender Agency, Prosecuting Attorney and the County Auditor and reducing the unappropriated and unencumbered balance in the Drug Free Community Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b), (v), (w) and (ww) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Court Administrator Agency, Marion County Public Defender Agency, Prosecuting Attorney and the County Auditor to provide the matching funds required by the grant awarded for the Expedited Trial Program.

SECTION 2. The sum of Two Hundred Thirty Thousand Dollars (\$230,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COURT ADMINISTRATOR AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	29,000
2. Supplies	4,000
3. Other Services and Charges	30,800
4. Capital Outlay	9,200
 <u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	
1. Personal Services	47,750
3. Other Services and Charges	27,000
 <u>PROSECUTING ATTORNEY</u>	
1. Personal Services	46,500
 <u>COUNTY AUDITOR</u>	
1. Personal Services - Fringes	35,750
TOTAL INCREASE	230,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>DRUG FREE COMMUNITY FUND</u>
Unappropriated and Unencumbered	
Drug Free Community Fund	230,000
TOTAL REDUCTION	230,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 72, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 72, 1995 on January 25, 1995. The proposal is an appropriation from the Supplemental Adult Probation Fees Fund in the amount of \$44,100 for the Superior Court, Criminal Division, Probation Department, to pay an existing lease agreement for outside office space financed by revenues from that fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:40 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 72, 1995 was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

Proposal No. 72, 1995 was retitled FISCAL ORDINANCE NO. 5, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 5, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Forty-four Thousand One Hundred Dollars (\$44,100) in the Supplemental Adult Probation Fees Fund for purposes of Superior Court, Criminal Division, Probation Department and reducing the unappropriated and unencumbered balance in the Supplemental Adult Probation Fees Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(II) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Probation Department, to pay an existing lease agreement for outside office space.

SECTION 2. The sum of Forty-four Thousand One Hundred Dollars (\$44,100) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

SUPERIOR COURT, CRIMINAL DIVISION

PROBATION DEPARTMENT

3. Other Services and Charges
TOTAL INCREASE

SUPPLEMENTAL ADULT PROBATION FEES FUND

44,100
44,100

SECTION 4. The said additional appropriation is funded by the following reductions:

SUPPLEMENTAL ADULT PROBATION FEES FUND

Unappropriated and Unencumbered
Supplemental Adult Probation Fees Fund
TOTAL REDUCTION

44,100
44,100

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 73, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 73, 1995 on January 25, 1995. The proposal is an appropriation from the Supplemental Adult Probation User Fee Fund in the amount of \$24,600 for the Superior Court, Criminal Division, Probation Department, to provide the 25% matching funds required by the recently awarded federal grant of \$71,350 which is to be utilized for the Automated Probation Case Management System financed by revenues from that fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:41 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Jimison, for adoption. Proposal No. 73, 1995 was adopted on the following roll call vote; viz:

29 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams
0 NAYS:

Proposal No. 73, 1995 was retitled FISCAL ORDINANCE NO. 6, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 6, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Twenty-four Thousand Six Hundred Dollars (\$24,600) in the Supplemental Adult Probation Fund for purposes of Superior Court, Criminal Division, Probation Department, and reducing the unappropriated and unencumbered balance in the Supplemental Adult Probation User Fee Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(II) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Probation Department, to provide the 25% matching funds required by the recently awarded federal grant of \$71,350 which is to be utilized for the Automated Probation Case Management System.

SECTION 2. The sum of Twenty-four Thousand Six Hundred Dollars (\$24,600) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

SUPERIOR COURT, CRIMINAL DIVISION.

PROBATION DEPARTMENT

SUPPLEMENTAL ADULT PROBATION USER FEE FUND

2. Supplies	7,500
3. Other Services and Charges	6,800
4. Capital Outlay	<u>10,300</u>
TOTAL INCREASE	24,600

SECTION 4. The said additional appropriation is funded by the following reductions:

SUPPLEMENTAL ADULT PROBATION USER FEE FUND

Unappropriated and Unencumbered	
Supplemental Adult Probation User Fee Fund	<u>24,600</u>
TOTAL REDUCTION	24,600

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 126, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 126, 1995 on February 16, 1995. The proposal, sponsored by Councillor Gilmer, is an appropriation transfer request for \$2,235,000 in the Solid Waste Disposal Fund for the Department of Public Works, Solid Waste Management Division, and reduces a like amount from the Department of Capital Asset Management, Asset Management Division, for the removal and hauling of sludge from the sludge lagoons. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:43 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Gilmer, for adoption. Proposal No. 126, 1995 was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

5 NOT VOTING: *Black, Borst, Brents, Gilmer, Hinkle*

Proposal No. 126, 1995 was retitled FISCAL ORDINANCE NO. 7, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 7, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Two Million Two Hundred Thirty-five Thousand Dollars (\$2,235,000) in the Solid Waste Disposal Fund for purposes of the Department of Public Works, Solid Waste Management Division, and reducing certain other appropriations for the Department of Capital Asset Management, Asset Management Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (l) and (m) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Solid Waste Management Division for the removal and hauling of sludge from the sludge lagoons to create the necessary area for future resource recovery ash mono-fill landfills.

SECTION 2. The sum of Two Million Two Hundred Thirty-five Thousand Dollars (\$2,235,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>SOLID WASTE MANAGEMENT DIVISION</u>	<u>SOLID WASTE DISPOSAL FUND</u>
3. Other Services and Charges	<u>2,235,000</u>
TOTAL INCREASE	2,235,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT,</u> <u>ASSET MANAGEMENT DIVISION</u>	<u>SOLID WASTE DISPOSAL FUND</u>
3. Other Services and Charges	<u>2,235,000</u>
TOTAL REDUCTION	2,235,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 162, 1995. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$40,000 for the Prosecuting Attorney to pay salary and fringe benefits for a Community Prosecutor for the Weed and Seed initiative on the near west side financed by a federal grant. Councillor Dowden asked for consent to postpone Proposal No. 162, 1995 until March 20, 1995. Consent was given.

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NOS. 19, 20 and 21, 1995. PROPOSAL NO. 19, 1995. The proposal reappoints Joe M. Rink to the Cable Franchise Board. PROPOSAL NO. 20, 1995. The proposal reappoints James E. Sawyers to the Cable Franchise Board. PROPOSAL NO. 21, 1995. The proposal appoints Fredric A. Hunn to the Cable Franchise Board. Councillor Rhodes moved, seconded by Councillor McClamroch, to return Proposal Nos. 19, 20 and 21, 1995 to Committee. This motion passed by unanimous voice vote.

PROPOSAL NO. 64, 1995. The proposal amends Sec. 22-2 of the Code to provide penalties for persons unlawfully sledding in City parks and golf courses. Councillor Giffin asked for consent to table Proposal No. 64, 1995. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 67, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 67, 1995 on February 22, 1995. The proposal amends the Code by permitting the Sheriff to establish franchise zones for the towing of automobiles. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 67, 1995, as amended, was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

1 NAY: Black

3 NOT VOTING: Borst, Franklin, Moriarty Adams

Proposal No. 67, 1995, as amended, was retitled GENERAL ORDINANCE NO. 26, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 26, 1995

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by permitting the Sheriff to establish franchise zones for the towing of automobiles.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 371 of Chapter 29 of the Code of Indianapolis and Marion County is hereby amended by inserting the underlined text and deleting the stricken-through text to read as follows:

Sec. 29-371. Removal of vehicles; release.

(a) Any officer or deputy upon discovering a vehicle parked or left standing so as to constitute a public nuisance, may cause the vehicle to be impounded. Impounded vehicles shall be released either upon payment by the owner, operator or authorized representative of same, of the fees charged for impoundment and storage, or upon order of the law enforcement agency which impounded the vehicle ~~Chief of Police, the Sheriff, or the Director~~, or upon order of any court having jurisdiction over the vehicle.

(b) All vehicles impounded by reason of being wrecked, ~~or~~ stolen or ~~and all vehicles~~ otherwise coming into the custody or control of the Police Department, and those impounded for parking violations, may be impounded in lots maintained for such purposes by franchised wreckers or in a lot authorized and chosen by

the Director, but that lot shall not be operated by any Marion County governmental agency. The attendant for any central lot shall collect the towing fees for the franchised wreckers and shall remit same to the wreckers monthly, along with monthly reports to the Director in such form as he shall prescribe.

(c) All vehicles impounded by reason of being wrecked, or stolen or ~~and all vehicles~~ otherwise coming into the custody or control of the Sheriff's Department, and those impounded for parking violations, may be impounded in lots maintained for such purposes by franchised wreckers as authorized and chosen by the Sheriff. Fees for vehicles impounded by the Sheriff's Department shall be set by the Sheriff as provided herein. ~~collected in accordance with Sheriff's Department policy.~~

SECTION 2. Chapter 29 of the Code of Indianapolis and Marion County is hereby amended by adding a new Sec. 372.1 to read as follows:

Sec. 29-372.1. Sheriff's procedure for providing wreckers.

(a) Franchise zones. The Sheriff shall establish geographic zones to facilitate the efficient removal of vehicles within the county. The Sheriff shall select a wrecker or wreckers for each geographic zone.

(b) Franchise fee. Towing, storage, and all other such fees that may be charged by a franchise wrecker shall be established by the Sheriff, except the franchise fee to be paid by the wrecker shall be established by the council. The franchise fee shall be \$20.00 per vehicle towed. Funds realized from the collection of franchise fees shall be deposited in the county general fund.

SECTION 3. Sec. 373 of Chapter 29 of the Code of Indianapolis and Marion County is hereby amended by inserting the underlined text to read as follows:

Sec. 29.373. Procedure for removing and impounding vehicles.

(a) Vehicles involved in an accident may be towed by any wrecker of the owner's or operator's choosing, provided that such wrecker may be summoned promptly to avoid creating a traffic hazard. If the officer or deputy on the scene of the accident determines a traffic hazard has been created by the delay in the arrival of the owner's or operator's chosen wrecker, or if the owner or operator does not care to select a wrecker of his own choice, the officer or deputy may declare the vehicle a traffic hazard, and it shall become subject to the officer's or deputy's order to the contract or other city authorized wrecker to remove it from the scene. However, the vehicle shall not be subject to impoundment, but shall be towed to the destination selected by the owner or operator. If the owner or operator is under a disability by reason of injury or arrest, the vehicle shall be subject to impoundment upon order of the officer or deputy on the scene.

(b) Vehicles recovered as stolen or which come into the custody of the Police Department or Sheriff, for other reasons shall be subject to impoundment upon order of the officer or deputy having control of the vehicle.

(c) All other vehicles subject to removal by the City or Sheriff, including those in violation of parking ordinances, may be towed by the franchised wrecker for each designated zone, upon notification and order by an officer or deputy, and may be impounded and stored pursuant to the provisions of section 29-371.

SECTION 4. Sec. 374 of Chapter 29 of the Code of Indianapolis and Marion County is hereby amended by inserting the underlined text and deleting the stricken-through text to read as follows:

Sec. 29-374. Communications.

The Chief of Police and Sheriff may authorize in writing each franchised wrecker to install police emergency frequency monitor radios in its trucks for use in response to accident scenes and the locations of improperly parked vehicles. The franchised wrecker's tow trucks may only use such radios to respond to direct orders from the central police or Sheriff's dispatcher.

SECTION 5. Sec. 375 of Chapter 29 of the Code of Indianapolis and Marion County is hereby amended by inserting the underlined text and deleting the stricken-through text to read as follows:

Sec. 29-375. Unauthorized wrecker at scene.

(a) It shall be unlawful for any wrecker to proceed to the scene of an accident for solicitation purposes without having been summoned by either party involved in the accident or an officer or deputy at the scene of the accident. Such unauthorized response is declared a traffic hazard and harmful to the health, welfare and safety of the people of the city and county, and, as such, those wreckers so responding are declared public nuisances and subject to impoundment procedures, upon order of the officer or deputy at the scene of the accident.

(b) It shall be unlawful for any wrecker to monitor for profit emergency police frequency radio installed in tow trucks without having written authorization for an emergency police monitor radio installation by the Chief of Police or Sheriff.

SECTION 6. Sec. 376 of Chapter 29 of the Code of Indianapolis and Marion County is hereby amended by inserting the underlined text and deleting the stricken-through text to read as follows:

Sec. 29-376. Liability of city and wrecker.

(a) The City or Sheriff shall not be liable for any loss or damage which may occur to any vehicle which is removed pursuant to the provisions of this division. The wrecker shall indemnify and hold harmless the city and Sheriff, ~~their~~ ~~its~~ officers, agents and employees, from any loss, claim, judgment or damages arising from the removal and storage of vehicles pursuant to this division. The wrecker shall have sole responsibility for any articles of personal property which may be contained in any vehicle at the time of its removal; such articles of personal property shall not be held by the contract wrecker in lieu of the service charges authorized herein but shall be returned by him or his agents to the owner thereof upon sufficient identification and proof of ownership. The officer directing the removal of a vehicle shall verify what personal property in plain view is contained in it prior to its removal, report such articles to police headquarters or the Sheriff's Department and/or on the incident report, and if possible, remove all property of value to the Police Department or Sheriff's Department property room pursuant to existing Police Department or Sheriff's Department regulations. If certain items of personal property cannot be stored by the Police Department or Sheriff's Department, the wrecker company shall store said items, and the officer or deputy in charge shall furnish a copy of the list of said items to the wrecker truck operator for the use of the wrecker service. Said list prepared by the officer or deputy shall be signed by the wrecker operator after the wrecker operator has verified the existence of the items so listed.

(b) The county shall not be liable for any loss or damage which may occur to any vehicle which is removed pursuant to the provision of this division. The wrecker shall indemnify and hold harmless the county, its officers, agents and employees, from any loss, claim, judgment or damages arising from the removal and storage of vehicles pursuant to this division. The wrecker shall have sole responsibility for any articles of personal property which may be contained in any vehicle at the time of its removal; such articles of personal property shall not be held by the contract wrecker in lieu of the service charges authorized herein but shall be returned by him or his agents to the owner thereof upon sufficient identification and proof of ownership.

SECTION 7. This ordinance shall be in effect from and after its passage by the council and compliance with IC 36-3-4-14.

PROPOSAL NO. 99, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 99, 1995 on February 21, 1995. The proposal amends the Improvement Location Permit (ILP) Ordinance of Marion County to exempt 18 improvements/types of development from obtaining an ILP (MDC Docket No. 95-AO-2). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Williams, for adoption. Proposal No. 99, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Gole, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Coughenour*

Proposal No. 99, 1995 was retitled GENERAL ORDINANCE NO. 27, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 27, 1995
METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 95-AO-2

A GENERAL ORDINANCE to amend the Improvement Location Permit Ordinance of Marion County, 68-AO-11, as amended.

WHEREAS, IC 36-7-4, as amended establishes a single planning and zoning authority in counties having consolidated cities and grants certain powers relative the zoning and districting of land to the Metropolitan Development Commission and the City-County Council of such counties having consolidated cities, in order to unify the planning and zoning functions thereof; and,

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, has adopted and certified, pursuant to IC 36-7-4, as amended, various segments of its Comprehensive Plan of Marion County, Indiana; and

WHEREAS, said IC 36-7-4, as amended, empowers the Metropolitan Development Commission of Marion County, Indiana, after such comprehensive plan certification, to recommend to the City-County Council an ordinance or ordinances for the zoning or districting of all lands within the County to the end that adequate light, air, convenience of access and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; that property values may be preserved; and the public health, safety, comfort, morals, convenience and general public welfare may be promoted;

WHEREAS, said IC 36-7-4, as amended, grants certain Improvement Location Permit powers to said Commission; and

WHEREAS, the Metropolitan Development Commission and the City-County Council desire to address the needs of the citizens of Marion County in preparing an ordinance which meets the long-term needs of the City/County as a whole; and

WHEREAS, the Regulatory Study Commission, after careful analysis, has determined that the provisions requiring Improvement Location Permits for certain specified types of development are overly burdensome, unnecessary, and repetitive; and,

WHEREAS, the Regulatory Study Commission has recommended to the Metropolitan Development Commission and the City-County Council that certain specified types of development be exempt from the requirements of obtaining an Improvement Location Permit; and

WHEREAS, the regulations and provisions of the applicable zoning ordinances will continue to provide the protection desired by surrounding property owners from inappropriate development, now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Improvement Location Permit Ordinance, Appendix D, Part 17, of the Municipal Code of Indianapolis and Marion County, Indiana, as adopted under Metropolitan Development Commission Docket Numbers 68-AO-11, 71-AO-1, 75-AO-2, 88-AO-1, and 93-AO-3, is further amended by deleting the stricken-through language and inserting the underlined language as follows:

~~CITY-COUNTY GENERAL ORDINANCE NO. 134, 1975~~
~~METROPOLITAN DEVELOPMENT COMMISSION~~
~~DOCKET NO. 75-AO-2 (AS AMENDED)~~

~~AN ORDINANCE to amend Marion County Council Ordinance No. 8-1957 as amended, the Zoning Ordinance for Marion County, Indiana, and fixing a time when the same shall take effect.~~

THE IMPROVEMENT LOCATION PERMIT ORDINANCE
OF
MARION COUNTY, INDIANA

WHEREAS, Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, established a single planning and zoning authority in counties having first class cities and grants certain powers relative to the zoning and districting of land to the Metropolitan Development Commission and City-County Council of such counties having first class cities, in order to unify the planning and zoning functions thereof;

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, has adopted and certified pursuant to Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, various segments of its ORIGINAL COMPREHENSIVE OR MASTER PLAN FOR MARION COUNTY, INDIANA;

WHEREAS, said Chapter 283 of the Acts of the Indiana General Assembly 1955, as amended, empowers the Metropolitan Development Commission of Marion County, Indiana, after such comprehensive plan certification, to recommend to the City-County Council an ordinance or ordinances for the zoning or districting of all lands within the County to the end that adequate light, air, convenience of access and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; that property values may be preserved; that the public health, safety, comfort, morals, convenience and general welfare may be promoted; and

WHEREAS, section 55 of said Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, grants certain improvement location permit powers to said Commission and City-County Council;

NOW, THEREFORE BE IT ORDAINED, by the City Council of the consolidated City of Indianapolis and of Marion County, Indiana, pursuant to said section 55 of Chapter 283 of the Indiana Acts of 1955, as amended, that Marion County Council Ordinance No. 8-1957, adopted by the Marion County Council on March 28, 1957, as amended, and the Improvement Location Permit Ordinance of Marion County, Indiana, Ordinance 68-AO-11, as amended, adopted as an amendment thereto, pursuant to IC 1971, 18-7-2 and IC 1981, 18-4, be amended to read as follows:

IMPROVEMENT LOCATION PERMIT ORDINANCE
OF MARION COUNTY, INDIANA

Sec. 1.00 Improvement Location Permit regulations

A. Applicability of regulations.

1. Within Marion County, Indiana, no structure shall be located, erected, altered or repaired ~~(except that repairs or alteration which do not change the height, size or lateral bulk of the structure shall be exempt from the requirements of this ordinance)~~ unless the use, character and location of the structure are in conformity with the provisions of the applicable zoning ordinances, Official Thoroughfare Plan for Marion County, Indiana, ordinance and other ordinances relating to land use, including this ordinance.

~~B1~~ 2. a. Obtaining an Improvement Location Permit. No structure shall be located, erected, altered or repaired ~~(except that repairs or alteration which do not change the height, size or lateral bulk of the structure shall be exempt from the requirements of this ordinance)~~ upon any land within Marion County, Indiana, until an Improvement Location Permit ~~there~~ has been applied for by the owner (or authorized agent) thereof and issued by the Metropolitan Development Commission of Marion County, Indiana, unless specifically exempted in Section 1.00, A, 2, b below.

b. Specific exemptions. An Improvement Location Permit shall not be required for the creation or alteration of the following structures or for accomplishing the following types of improvements. All provisions and regulations of the zoning ordinance applicable in the particular situation shall continue to apply to exempted structures and improvements:

- (1) Air conditioning units
- (2) Childrens' play equipment (residential)
- (3) Decks or patios (under eighteen [18] inches in height)
- (4) Enclosure, within the existing building foot print, of portions of the building which already have a foundation and a roof (residential)
- (5) Fences
- (6) Landscape strips
- (7) Mini barns or sheds (under 120 square feet and not on a permanent foundation)
- (8) Movable, temporary use structures or buildings utilized during construction projects

- (9) Recycling containers
- (10) Repairs or alterations which do not change the height, size or lateral bulk of the structure
- (11) Residential awnings
- (12) Roof line changes (residential)
- (13) Roof line changes which do not add usable floor space (commercial)
- (14) Sidewalks on private property out of the public right-of-way
- (15) Trash containers/dumpsters

~~2.~~ B. *Application for Improvement Location Permit.* Application for Improvement Location Permits shall be made upon forms prescribed by the ~~Metropolitan Development~~ Commission, shall include a legal description of the lot, and shall be accompanied by the following:

- ~~a)~~ 1. Required site plan. An accurate site plan in duplicate, drawn to scale, showing:
 - ~~1)~~ a. Location of right-of-way line or lines of all streets, alleys and easements located adjacent to or within the lot. Location of center line of all streets and dimension to right-of-way line(s).
 - ~~2)~~ b. Location and dimensions of private drives and interior access roads, including connection to public streets and proposed driveway entrances and exits.
 - ~~3)~~ c. Names of all adjacent streets, private drives and interior access roads.
 - d. Address of proposed structure or use, as assigned by The Department of Metropolitan Development ~~Department~~.
 - ~~4)~~ e. The lot and dimensions thereof.
 - ~~5)~~ f. Setbacks, minimum required front, side and rear yards.
 - ~~6)~~ g. Existing structures (location, dimensions to lot lines and size) - except structures to be razed prior to or contemporaneously with construction pursuant to the Permit.
 - ~~7)~~ h. Proposed location of structure(s) on lot, indicating dimensions to all lot lines.
 - ~~8)~~ i. Accurate dimensions of structure(s) proposed.
 - ~~9)~~ j. Signs, including location, dimensions to lot lines, type and size.
 - ~~10)~~ k. Size, height, and location of landscaping, screens, walls, fences (when required by ordinance or grant of variance).
 - ~~11)~~ l. Off-street parking area (when required by ordinance or grant of variance), including dimensions or parking spaces, driveways and maneuvering aisles.
 - ~~12)~~ m. Off-street loading area (when required by ordinance or grant of variance), including dimensions.
- ~~b)~~ 2. Other required information, plans, exhibits, evidence of submission of plans to other governmental agencies
 - ~~1)~~ a. Any other information, plans or exhibits required by or to indicate compliance with applicable zoning ordinances, this ordinance, covenants, commitments and conditions of grants of variance.
 - ~~2)~~ b. Any other applicable information, plans or exhibits required by the Improvement Location Permit form, including but not limited to:
 - ~~(a)~~ (1) Evidence of the applicant's submission of required plans to the Indianapolis Department of Capital Asset Management (DCAM) ~~Transportation~~.
 - ~~(b)~~ (2) Evidence of the applicant's submission of a required drainage plan to the Indianapolis ~~Department of Public Works~~ DCAM.

Provided, however:

- (1) i. At the request of the ~~DCAM Department of Public Works~~, Improvement Location Permit issuance may be withheld for a period not to exceed five (5) business days if in the opinion of the ~~Department of Public Works DCAM~~ commencement under such plan may result in a hazard to the public health, safety or general welfare.
- (2) ii. If the ~~Department of Public Works DCAM~~ approves said plan, or at the expiration of such five (5) days has neither approved nor disapproved said plan, the Permit shall be issued.
- (3) iii. If the ~~Department of Public Works DCAM~~ disapproves said plan, the Permit shall not be issued except in accordance with paragraph (4) following.
- (4) iv. In the event of disapproval of the drainage plan by the ~~Department of Public Works DCAM~~, a written statement of the reasons for disapproval shall be provided to the Administrator ~~of the Division of Planning and Zoning~~ and to the applicant. The Administrator may then authorize issuance of the Improvement Location Permit if the applicant shows an immediate hardship will accrue if such Permit is not issued, the applicant covenants to comply with the requirements of the ~~Department of Public Works DCAM~~ regarding drainage, and the Administrator, upon consultation with the ~~Department of Public Works DCAM~~, determines that proceeding with construction would not result in a hazard to the public health, safety or general welfare.

3. ~~Requirement of conformity with rezoning plans, covenants~~

~~The site plan accompanying an application for Improvement Location Permit shall be in substantial conformity with all Plans (including exhibits, site plans, renderings, plans for buildings, signs, or other structures, fencing, landscaping, off street parking and loading areas, utilities, drainage, sewage or other developmental or land use plans) and Parol Covenant (such term to mean any representation of fact or intention made verbally in the public hearing and identified by the person make the same as a Covenant) filed, made or presented by the petitioner, his attorney or agent (including such Plans and Parol Covenants so signed, made or presented by predecessors, titleholders or petitioners, and attorneys or agents) in support of any petition for rezoning filed with the Metropolitan Development Department after the effective date of this ordinance and pursuant to which the land included in the Application for Improvement Location Permit is currently zoned. Applications for Improvement Location Permit shall be in conformity with any applicable recorded covenants running to the Metropolitan Development Commission.~~

~~Building plans or other additional plans, specifications, exhibits or information shall be filed as necessary as a part of said Improvement Location Permit Application to demonstrate conformity with said Plans, Parol Covenants, and recorded covenants, and all development pursuant to said Permit be in conformity therewith. If the Application for Improvement Location Permit is not in substantial conformity with said Plans, Parol Covenants and recorded covenants, the Permit shall not be issued.~~

~~Provided, however:~~

- ~~1) A Petition to Modify said Plans and/or Parol Covenants may be filed with the Metropolitan Development Commission, which shall hold a hearing thereon. Notice by publication and to adjacent property owners shall be required in accordance with the Rules of Procedure of said Commission relative to rezoning petitions. Following the hearing, the Commission may consider and act upon said Petition, by approving in whole or in part, or subject to any amendments or conditions, or by disapproving. In accordance with the Commission's approval of the Petition to Modify, an Improvement Location Permit shall be issued.~~

4. C. *Requirement of conformity with applicable ordinances, variances.* No Permit shall be issued for any structure or use unless the use, character and location thereof shall be in conformity with the provisions of all applicable zoning ordinances, Official Thoroughfare Plan for Marion County, Indiana, ordinances and other ordinances relating to land use, including this ordinance.

No Permit shall be issued for any structure or use authorized by variance unless the use, character and location thereof shall be in conformity with all requirements and conditions of said the variance.

D. Requirement of conformity with conditions and commitments. No permit shall be issued for any structure or use unless the use, character and location thereof shall be in conformity with all conditions and commitments.

Provided, however, a petition to modify plans, conditions or commitments may be filed with the appropriate public body (Metropolitan Development Commission or Board of Zoning Appeals) in compliance with all requirements of the applicable body's Rules of Procedure.

5. E. Street frontage requirements. No Permit shall be issued for any use or structure unless the lot abuts upon and has adequate frontage on a public street (the right-of-way of which has been dedicated and accepted for maintenance by governmental agency having jurisdiction thereof, or the construction of which is bonded in accordance with the standards and requirements of the ~~Subdivision Control Ordinance of Marion County, Indiana~~ applicable municipal agency having jurisdiction) in accordance with the requirements of all applicable ordinances, except as otherwise specifically authorized in zoning districts permitting private drives or interior access roads or by variance.

6. F. Automatic revocation—2 YEARS IF WORK NOT BEGUN. Every Permit shall be automatically revoked if active work thereunder is not commenced within two (2) years of its issue — excepting, however, the Administrator of the Division of Planning and Zoning of the Metropolitan Development Department may, upon good cause shown, grant extensions thereof for periods not to exceed 180 days.

7. G. Revocation in event of violation; enforcement. ~~If the Administrator of the Division of Planning and Zoning of the Metropolitan Development Department determines that the construction or development under any permit is not proceeding according to the applicable ordinances, site plan filed with said Permit application, or other requirements or conditions upon which such Permit was issued, or is otherwise proceeding in violation of law, the Permit may be revoked.~~ Construction or development under any Permit shall proceed according to the applicable ordinances, the site plan filed with said Permit application, and the conditions or commitments of any applicable variance, rezoning or other approval grant. If the Administrator determines that construction or development is proceeding or has proceeded in violation of said ordinances, site plan or approval grant, or that the Permit was issued in violation of an ordinance or the conditions of commitments of such approval grant, the Administrator may revoke said Permit. The Administrator shall send written notice of the revocation to the permit applicant.

SECTION 2. Enforcement [repealed by the enforcement and remedies zoning ordinance (88-ao 5/g.O. 122, 1988)]

Sec. 2.00 Construction of language and definitions.

A. Construction of language. The language of this ordinance shall be interpreted in accordance with the following regulations:

1. The particular shall control the general.
2. In the case of any difference of meaning or implication between the text of this ordinance and any illustration or diagram, the text shall control.
3. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. A "building" or "structure" includes any part thereof.
6. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", or "occupied for".
7. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and", "or", or "either...or", the conjunction shall be interpreted as follows:
 - a. "And" indicates that all the connected items, conditions, provisions, or events shall apply.

- b. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
- c. "Either...or" indicates that all the connected items, conditions, provisions, or events shall apply singly but not in combination.

B. *Definitions.* ~~SECTION 3. DEFINITIONS~~

1. *Administrator.* Administrator of the Neighborhood and Development Services Division or his/her appointed representative.
2. *Alteration.* Any change in type of occupancy, or any change, addition or modification in construction of the structural members of an existing structure, such as walls, or partitions, columns, beams or girders, as well as any change in doors or windows or any enlargement to or diminution of a structure, whether it be horizontally or vertically.
3. *Building.* Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property of any kind, having a permanent roof supported by columns or walls.
4. *Commission.* The Metropolitan Development Commission of Marion County, Indiana.
5. *Commitment.* An official agreement concerning and running with the land as recorded in the office of the Marion County Recorder.
6. *Condition.* An official agreement between the municipality and the petitioner concerning the use or development of the land as imposed by the Board of Zoning Appeals.
7. *Erect.* Activity of constructing, building, raising, assembling, placing, affixing, attaching, creating, or any other way of bringing into being or establishing.
8. *Frontage (Street Frontage).* The line of contact of a property with the street right-of-way along a lot line.
9. *Mini-Barn.* A freestanding, completely enclosed, accessory building constructed of stone, brick, metal or wood designed with a rural character and intended for the storage of personal property solely of the occupants of the primary use on the lot. (See also Shed)
10. *Right-of-Way.* Specific and particularly described strip of land, property, or interest therein devoted to and subject to the lawful use, typically as a thoroughfare of passage for pedestrians, vehicles, or utilities, as officially recorded by the office of the Marion County Recorder.
11. *Right-of-Way, Public.* Specific and particularly described strip of land, property, or interest therein dedicated to and accepted by the municipality to be devoted to and subject to use by the general public for general transportation purposes or conveyance of utilities whether or not in actual fact improved or actually used for such purposes, officially recorded by the office of the Marion County Recorder.
12. *Right-of-Way, Private.* Specific and particularly described strip of privately-held land, property, or interest therein devoted to and subject to use for general transportation purposes or conveyance of utilities whether or not in actual fact, improved or actually used for such purposes, as officially recorded by the office of the Marion County Recorder.
13. *Shed.* A freestanding, completely enclosed, accessory building, designed and intended for the storage of personal property solely of the occupants of the primary use on the lot. (See also Mini-Barn)
14. *Sign.* Any structure, fixture, placard, announcement, declaration, device, demonstration or insignia use for direction, information, identification or to advertise or promote any business, product, goods, activity, services or any interests.
15. *Site Plan.* The development plan, or series of plans, drawn to scale, for one or more lots on which is shown the existing and proposed location and conditions of the lot including as required by ordinance, but not limited to: topography, vegetation, drainage, floodplains, marshes, and waterways; open

spaces, walkways, means of ingress and egress, utility services, landscaping, buildings, structures, signs, lighting and screening devices, center lines of rights-of-way, and dimensions.

16. Street, Private. A privately-held right-of-way, with the exception of alleys, essentially open to the sky and open for the purposes of vehicular and pedestrian travel affording access to abutting property, whether referred to as a street, road, expressway, arterial, thoroughfare, highway, or any other term commonly applied to a right-of-way for said purposes. A private street may be comprised of pavement, shoulders, curbs, sidewalks, parking spaces, and the like.
17. Street, Public. A publicly dedicated, accepted and maintained right-of-way, with the exception of alleys, essentially open to the sky and open to the general public for the purposes of vehicular and pedestrian travel affording access to abutting property, whether referred to as a street, road, expressway, arterial, thoroughfare, highway, or any other term commonly applied to a public right-of-way for said purposes. A public street may be comprised of pavement, shoulders, gutters, curbs, sidewalks, parking spaces, and the like.
- A1 18. Structure. For purposes of this ordinance, a "structure", for which an Improvement Location Permit shall be required, shall include any building, sign or other structure, constructed or erected, the use of which requires a more or less specific location upon the ground, whether permanently affixed to the ground, temporary or mobile, ~~(including, without limitation the generality of the foregoing, mobile structures such as mobile homes and mobile identification, business or advertising signs), land improvements, constructions or alterations (including, without limitation upon the generality of the foregoing, off-street parking areas; mobile home parks, swimming pools; reservoirs; artificial lakes; the commercial excavation or removal of earth, minerals, sand or gravel; miniature golf, gold driving ranges, archery centers; tennis courts; athletic fields; stadiums; race tracks; golf courses; cemeteries; heliports; landing fields; reviewing stands; zoos; other outdoor exhibition or display areas, such as automobile, mobile homes, trailer or equipment storage, sales or rental; metal or salvage storage; model homes display), seasonal or temporary uses (including without limitation upon the generality of the foregoing, Christmas tree or nursery plant sales; fruit stands; tent exhibitions; outdoor bazaars) and similar open land uses.~~
19. Thoroughfare. The segment of the Comprehensive Plan for Marion County, Indiana, adopted by the Metropolitan Plan Development Commission of Marion County, Indiana, pursuant to IC 36-7-4 that sets forth the location, alignment, dimensions, identification and classification of freeways, expressways, parkways, primary arterials, secondary arterials, or other public ways as a plan for the development, redevelopment, improvement, and extension and revision thereof.

Sec. 43.00 Severability.

No Improvement Location Permits shall be issued for outdoor advertising signs in Marion county from the date of adoption of this amendment until the date when amendments to the outdoor advertising provisions of the Sign Regulations of Marion County, Indiana (Ordinance No. 71-AO-4, as amended by 86-AO-1) have been made, adopted and take effect or until June 1, 1988, whichever is earlier in time.

SECTION 5

~~If any provision or clause of this ordinance or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such decision shall not affect other ordinance provisions or clauses or applications thereof which can be implemented without the unconstitutional or invalid provision, clause, or application, and to this end the provisions, clauses or application, of this ordinance are declared to be severable.~~

If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

~~NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.~~

SECTION 2. This ordinance shall be in full force and effect from and after adoption in compliance with IC 36-7-4.

PROPOSAL NO. 100, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 100, 1995 on February 21, 1995. The proposal amends the

Special Districts Zoning Ordinance of Marion County by (1) providing for certain improvements/types of development within "Special Districts" to be permitted by Administrator's Approval; (2) combining the language of the Special Use District Zoning Ordinance into the Special Districts Zoning Ordinance to consolidate two separate documents into one comprehensive ordinance; and (3) making minor technical amendments (MDC Docket No. 95-AO-3). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Gilmer, for adoption. Proposal No. 100, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:
3 NOT VOTING: *Coughenour, Giffin, Rhodes*

Proposal No. 100, 1995 was retitled GENERAL ORDINANCE NO. 28, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 28, 1995
METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 95-AO-3

A GENERAL ORDINANCE to amend the Special Districts Zoning Ordinance of Marion County, Indiana, by 1) repealing the Special Use Districts Ordinance and including the language of that ordinance in the Special Districts Zoning Ordinance; and, 2) allow for Administrator's Approval of certain low intensity development.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Special Use Districts Zoning Ordinance, as adopted under Metropolitan Development Commission Docket Number 66-AO-3, as amended, pursuant to IC 36-7-4, is hereby repealed.

SECTION 2. The language of the former Special Use Districts Zoning Ordinance shall be recodified and combined into the Special Districts Zoning Ordinance in the following manner:

- a. delete the stricken-through language from the former ordinance;
- b. insert the underlined language into the applicable sections of the ordinance; and,
- c. insert non-altered language into the applicable sections of the ordinance.

SECTION 3. The language of the Special Districts Zoning Ordinance shall be further amended by deleting the crosshatched language and inserting the underscored language as follows:

CHAPTER I

Sec. 1.00. Establishment of Special Zoning Districts.

A. *Establishment of Special Zoning Districts.* The following primary Special Zoning Districts for Indianapolis/Marion County are hereby established, and land within Indianapolis is hereby classified, divided and zoned into said districts as designated on the Zoning Base Maps, which maps are attached hereto, incorporated herein by reference and made a part of this ordinance:

Park Districts
PK-1 Park District One
PK-2 Park District Two

Hospital Districts

HD-1 Hospital District One

HD-2 Hospital District Two

University Quarter Districts

UQ-1 University Quarter District One

UQ-2(B) University Quarter District Two (Butler University)

SECTION 1.00

B. Establishment of Special Use Zoning Districts - Permitted Uses. The following primary Special Use Zoning Districts for Marion County, Indiana, are hereby established, and land within said County zoned to said district classifications shall be designated on the applicable zoning maps by the following zoning district symbols, respectively (which maps are hereby incorporated by reference and made a part of this ordinance). No use shall be permitted in any Special Use Zoning District other than the following permitted use or uses specified for each said District, respectively:

<u>Special Use</u> <u>Zoning District</u>	<u>Symbol</u>	<u>Permitted Use</u>
<u>I</u>	<u>SU-1</u>	<u>Religious use (as defined in section 2.01.B.</u>
<u>II</u>	<u>SU-2</u>	<u>School</u>
<u>III</u>	<u>SU-3</u>	<u>Golf course, golf driving range, golf country club--public or private</u>
<u>V</u>	<u>SU-5</u>	<u>Radio receiving or broadcasting tower and accessory buildings</u>
<u>VI</u>	<u>SU-6</u>	<u>Hospital, sanitarium, nursing home</u>
<u>VII</u>	<u>SU-7</u>	<u>Charitable, philanthropic and not-for-profit institution</u>
<u>VIII</u>	<u>SU-8</u>	<u>Correctional and penal institution</u>
<u>IX</u>	<u>SU-9</u>	<u>Building(s) and grounds used by any department of town, city, township, county, state or federal government</u>
<u>X</u>	<u>SU-10</u>	<u>Cemetery</u>
<u>XIII</u>	<u>SU-13</u>	<u>Sanitary landfill</u>
<u>XVI</u>	<u>SU-16</u>	<u>Indoor and outdoor commercial amusement, recreation and entertainment establishment.</u>
<u>XVIII</u>	<u>SU-18</u>	<u>Light or power substation.</u>
<u>XX</u>	<u>SU-20</u>	<u>Telephone exchange offices.</u>
<u>XXIII</u>	<u>SU-23</u>	<u>Permanent gravel or sand processing plant, rock crushing, grinding or milling and stock piling.</u>
<u>XXVIII</u>	<u>SU-28</u>	<u>Petroleum refinery and petroleum products storage.</u>
<u>XXXIV</u>	<u>SU-34</u>	<u>a. Club rooms</u>
		<u>b. Fraternal rooms--Fraternity and lodge</u>
		<u>c. Ballroom--Public</u>
<u>XXXV</u>	<u>SU-35</u>	<u>Telecommunication receiving or broadcasting tower and associated accessory buildings.</u>
<u>XXXVII</u>	<u>SU-37</u>	<u>Library</u>
<u>XXXVIII</u>	<u>SU-38</u>	<u>Community center</u>
<u>XXXIV</u>	<u>SU-39</u>	<u>Water tank, water pumping station and similar structures not located on buildings.</u>
<u>XXXXI</u>	<u>SU-41</u>	<u>Sewage disposal plant; garbage feeding and disposal</u>
<u>XXXXII</u>	<u>SU-42</u>	<u>Gas utility</u>
<u>XXXXIII</u>	<u>SU-43</u>	<u>Power transmission lines</u>
<u>XXXXIV</u>	<u>SU-44</u>	<u>Off-track pari mutuel wagering facilities, licensed as satellite facilities under IC 4-31-5.5</u>
		<u>(Off-track betting facilities, G.O. 92, 1994)</u>

Including for each said district, Accessory Uses and Structures, subordinate, appropriate and incidental to the above permitted primary uses.

CHAPTER II

Sec. 2.00. General Regulations.

A. *Applicability of Regulations.* The following regulations shall apply to all land within the Special Zoning Districts. After the effective date of this ordinance:

1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.
2. No building, structure, premise or part thereof shall be constructed, erected, converted, enlarged, extended reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance.

Provided, however, legally established nonconforming uses and structures or buildings not located in any Flood Control District may be reconstructed restored to their original dimensions and conditions if damaged or partially destroyed by fire or other naturally occurring disaster, provided the when such damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the building or structure or facilities affected.

B. *Performance Standards.* All uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards. No use in existence on the effective date of this ordinance shall be so altered or modified as to conflict with these standards.

1. *Vibration.* No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.
2. *Smoke, dust and particulate matter.* Smoke, dust, particulate matter and any other airborne material shall be subject to, ~~and comply with, the standards and regulations of the Air Pollution Ordinance as contained in Chapter 4 Four of the Municipal Code of the City of Indianapolis and Marion County, Indiana, and regulations promulgated pursuant thereto by the Indianapolis Air Pollution Control Board, which ordinance is on file in the office of the Neighborhood and Development Services Division of the Department of Metropolitan Development of Marion County, Indiana, and is hereby incorporated by reference and made a part hereof.~~
3. *Noxious matter.* No use shall discharge across the lot lines, noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
4. *Odor.* No use shall emit across the lot lines odor in such quantities as to be readily detectable at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
5. *Sound.* No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property. Sound shall be muffled so as not to become detrimental due to intermittence, beat, frequency, shrillness or vibration.
6. *Heat and glare.* No use shall produce heat or glare creating a hazard perceptible from any point beyond the lot lines.
7. *Waste matter.* No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana, the Indiana State Board of Health, and the Stream Pollution Control Board of the State of Indiana and the Department of Public Works of Indianapolis, Indiana, or in such a manner as to endanger the public health, safety or welfare or cause injury to property.

Sec. 2.01. Park District Regulations

A. *Permitted Park District Uses.*

1. *Park District One (PK-1) uses.* Public playgrounds, play fields, ball fields, ball courts, tennis courts, spray or wading pools, outdoor swimming pools, ice skating, picnicking, boating, fishing, wild life refuges, botanical gardens, arboreta, scenic areas, greenways, bridle paths, hiking and bicycle trails, and such other primary park or recreational uses, or uses incidental and accessory thereto, as are included within any site and development plan filed with and approved by the ~~Metropolitan Development~~ Commission as hereinafter provided.

Provided, however, that no use not specifically enumerated, nor any building or structure shall hereafter be constructed or used on any land in the PK-1 DISTRICT for any purpose other than lawfully existed on or prior to May 7, 1969 until a site and development plan for said land and all Park District lands of which it is a common tract (showing the location of existing and proposed park uses, including the location and proposed use of such building or structure to be built or used, or the proposed use not specifically enumerated as a permitted use) shall have been filed with and approved by the ~~Metropolitan Development~~ Commission unless enumerated in Section 2.01, C (Specific Exemptions - Administrator's Approval).

~~The Metropolitan Development Commission may consider and act upon any proposed site and development plan, approve the same in whole or in part, at any public meeting of the Commission. Public notice of such meeting shall not be required; however, the governmental unit or department filing such plan shall have the right to appear and be heard. Such site and development plan, and uses and structures therein, shall:~~

- ~~a. be in conformity with the Comprehensive Plan of Marion County, Indiana, including the Comprehensive Park Plan for Marion County, Indiana, adopted by Metropolitan Development Commission Resolution 65 CPS R-2, as amended;~~
 - ~~b. create and maintain a desirable, efficient and economical use of park land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the park and with adjacent uses;~~
 - ~~c. provide sufficient and adequate access, parking and loading areas;~~
 - ~~d. provide traffic control and street plan integration with existing and planned public streets and interior access roads;~~
 - ~~e. provide adequately for sanitation, drainage and public utilities; and~~
 - ~~f. allocate adequate sites for all uses proposed the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan for Marion County, Indiana, including said Comprehensive Park Plan for Marion County, Indiana.~~
2. *Permitted park perimeter-Special District Two (PK-2) uses.* Permitted Uses, as approved by the ~~Metropolitan Development~~ Commission as hereinafter provided:
 - a. Any dwelling use, including single-family or multi-family, attached or detached dwellings, ~~as approved by the Metropolitan Development Commission as hereinafter provided and~~ subject to all standards, requirements and regulations of the Dwelling Districts Zoning Ordinance of Marion County, Indiana, 89-AO-2, as amended, specified in the petition for such Commission approval.
 - b. Any commercial office use, office complex, commercial office- apartment complex, or other planned complex, which may include business, professional and consumer service offices, retail sales and service uses or other appropriate uses and accessory facilities ~~therefor, as approved by the Metropolitan Development Commission as hereinafter provided.~~
 - c. Regional, community or neighborhood shopping center, commercial center - office - apartment complex, apartment hotels, hotels, motels or other similar single commercial use or multi-use planned complex, including business, professional and consumer service offices, retail sales and service uses, or other appropriate uses and accessory facilities ~~therefor, as approved by the Metropolitan Development Commission as hereinafter provided.~~

- d. Office-commercial-industrial research and development park or complex or other commercial-industrial use or combination thereof (subject to all standards, requirements and regulations of Section 2.05 of the Industrial Zoning Ordinance, (I-1-U Restricted Industrial Urban District) 63-AO-4, as amended, and accessory facilities ~~therefor, as approved by the Metropolitan Development Commission as hereinafter provided.~~
- e. Public and semipublic structures and uses, parks and open space, including but not limited to museums, auditoriums, theaters, amphitheaters, exhibition halls or exhibition spaces, libraries, civic centers, university or college campus or other educational office complexes, malls, greenways, or other appropriate uses and accessory facilities ~~therefor, as approved by the Metropolitan Development Commission as hereinafter provided.~~
- f. Residential-recreational-commercial planned complex, including multifamily dwellings, townhouses, condominium, cluster-housing or other planned residential development in combination with open space, recreational-commercial development including golf course, country club, riding stable, tennis or swimming club, marina, lake development or other recreational, public or semi-public, commercial or non-commercial uses, and accessory facilities ~~therefor, as approved by the Metropolitan Development Commission as hereinafter provided.~~
- g. Any other appropriate planned land use, complex or combination of land uses, ~~as approved by the Metropolitan Development Commission as hereinafter provided.~~

Provided, however, that no use, building or structure shall hereafter be established or constructed on any land in the PK-2 District until such proposed use, and a site and development plan for the use shall have been filed with and approved by the ~~Metropolitan Development Commission~~ unless enumerated in Section 2.01, C (Specific Exemptions - Administrator's Approval).

B. Site and Development Plan Consideration. ~~The Metropolitan Development Commission~~ may consider and act upon any proposed use and site and development plan, approve the same in whole or in part, and impose additional development standards, requirements or conditions thereon at any public hearing of the Commission.

In the PK-1 District, public notice of such meeting shall be required only to registered neighborhood organizations whose boundaries include all or part of the subject request. In addition, the governmental unit or department filing such plan shall have the right to appear and be heard.

In the PK-2 District, ~~P~~public notice and notice to adjoining land owners by the petitioner shall be required in accordance with the Commission's Rules of Procedure.

Such site and development plan, and proposed uses, buildings and structures shall:

- ~~(1)~~ 1. Be ~~consistent in conformity~~ with the Comprehensive Plan of Marion County, Indiana, including the Comprehensive Park Plan for Marion County, Indiana, adopted by ~~the Metropolitan Plan~~ Commission Resolution 65-CPS-R-2, as amended;
- ~~(2)~~ 2. Create and maintain a desirable, efficient and economical land use with high functional and aesthetic value, attractiveness and compatibility of land uses, with adjacent park and other land uses;
- ~~(3)~~ 3. Provide sufficient and adequate access, parking and loading areas;
- ~~(4)~~ 4. Provide adequate traffic control and street plan integration with existing and planned public streets and interior access roads;
- ~~(5)~~ 5. Provide adequately for sanitation, drainage and public utilities; and
- ~~(6)~~ 6. Allocate adequate sites for all uses proposed - the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana, including said Comprehensive Park Plan for Marion County, Indiana.

All land use within the PK-1 and PK-2 Districts shall be subject to all requirements of Section 1.00, ~~B, 3 C and D~~ of The Improvement Location Permit Ordinance, 68-AO-11, as amended, relative to ~~plans (including exhibits, site plans, renderings, plans for buildings, signs or other structures, fencing, landscaping, off street~~

parking and loading areas, utilities, drainage, sewage or other developmental or land use plans) and covenants, or commitments filed, made or presented in support of such petition conformity with all conditions and commitments of the applicable Commission approval or Board of Zoning Appeals grant of a variance.

No use, building or structure shall be established or erected in any Park District without an Improvement Location Permit. An Improvement Location Permit shall not be issued until the proposed use and said site and development plan, or such part thereof as includes the proposed uses, buildings or structures, shall have been approved by the ~~Metropolitan Development~~ Commission, unless exempt under Section 2.01, C below. Applications for Improvement Location Permits shall be made upon Department of Metropolitan Department forms and shall include all information specified by such forms.

C. Specific Exemptions - Administrator's Approval. The filing of an Approval Petition and subsequent Commission Approval shall not be required for the creation or alteration of the following structures or for accomplishing the following types of improvements in the PK-1 and PK-2 Districts. Such structures and improvements, however, shall be required to obtain Administrator's Approval prior to the issuance of an Improvement Location Permit. All provisions and regulations of the zoning ordinance applicable in the particular situation, or commitments related to prior Commission Approval, shall continue to apply.

1. Improvements to existing structures that do not increase the usable floor area of that structure (for example: canopies, awnings, vestibules, roof line changes, or similar features).
2. Additions to existing structures which are less than:
 - : One thousand (1,000) square feet in the PK-1 District
 - : One thousand (1,000) square feet for residential uses, within the PK-2 District
 - : Two thousand five hundred (2,500) square feet for all other uses within the PK-2 District
3. In the PK-1 District, any new structure which is less than two thousand five hundred (2,500) square feet, provided the structure:
 - : Is in substantial conformance with the applicable adopted Park Master Plan; or,
 - : Is an accessory support structure which may not be delineated on the adopted Park Master Plan, the location of which, however, will not affect the implementation of the plan (examples of such structures are golf cart buildings, picnic shelters, maintenance sheds, and restrooms).
4. Any new residential structures in projects or subdivisions previously approved by the Commission. In instances of an approved subdivision, a plat shall have been recorded.
5. Accessory structures permitted in connection with residential development
6. Landscaping
7. Any incidental sign (as defined by the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended)

B. D. Park District Development Standards.

1. Park District One (PK-1) Development Standards. The following development standards shall apply to all land within Park District One:

1. Location. Public parks larger than ten (10) acres shall be located with direct access to and frontage on a collector street, or a street designated on the Official Thoroughfare Plan of Marion County, Indiana (adopted March 6, 1991), as a ~~collector~~, primary or secondary thoroughfare, parkway, expressway or freeway.
2. Minimum lot area. There shall be no minimum lot area.
3. Setback lines and minimum front yards.

- a. Front yards, having a minimum depth in accordance with the following setback requirements shall be provided along all street right-of-way lines:

- (1) Expressway, parkway or primary thoroughfare (as designated on the Official Thoroughfare Plan of Marion County, Indiana, adopted March 6, 1991). No part of any structure shall be built closer than sixty (60) feet to any right-of-way line of an expressway, parkway or primary thoroughfare.
- (2) Secondary thoroughfare (as designated on the Official Thoroughfare Plan of Marion County, Indiana, adopted March 6, 1991). No part of any structure shall be built closer than forty (40) feet to any right-of-way line of a secondary thoroughfare.
- (3) Collector street. No part of any structure shall be built closer than thirty (30) feet to any right-of-way line of a collector street.
- (4) Local street, marginal access street or cul-de-sac. No part of any structure shall be built closer than twenty-five (25) feet to any right-of-way line of a local street, marginal access street, or cul-de-sac, with the exception of the vehicular turn-around thereof. No part of any structure shall be built closer than twenty (20) feet to any right-of-way line of the vehicular turnaround of a cul-de-sac.

Provided, however, that along the right-of-way line of any street, highway, or thoroughfare where access rights thereto have been purchased or otherwise acquired by the governmental agency having jurisdiction thereof, yards having a minimum depth of thirty (30) feet shall be provided.

Exception: Eaves, cornices or other laterally-supported extensions may extend into the front yard setback a maximum of four (4) feet.

4. *Maximum height*. Thirty-five (35) feet.

5. *Off-street parking*.

- a. Adequate off-street parking spaces shall be provided for the various PK-1 DISTRICT park activities and uses.
- b. Off-street parking area for all uses in the PK-1 District shall be developed and maintained in accordance with the following requirements:
 - (1) Off-street parking entrances and exits shall be located a minimum distance of twenty-five (25) feet from the nearest point of two (2) intersecting street right-of-way lines. Such access cuts from a public street shall further conform to all requirements of the traffic engineering department having jurisdiction thereof.
 - (2) The surface of parking areas shall be graded and drained in such a manner that there will be no free flow of water onto either adjacent properties or sidewalks.
 - (3) Lighting facilities used to illuminate parking areas shall be so located, shielded and directed upon the parking area that they do not glare onto or interfere with street traffic, adjacent buildings, or adjacent users.
- c. The distance of driveways and parking areas from any adjacent property line shall be at least twenty (20) feet.

6. *Signs*. Signs and sign structures shall comply with the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended.

Sec. 2.02. Hospital District Regulations.

Statements of Purpose:

Hospital District One (HD-1). The HD-1 zoning category is designed to permit and facilitate the development, expansion, and modernization of a major hospital complex or campus, in which a diversity of uses, functions, and facilities is necessary to best perform the hospital's various services to the public; and, further to permit appropriate land use modifications as necessary to facilitate the highest level of such service.

Hospital District Two (HD-2). The HD-2 zoning category is designed to: (1) permit and facilitate the logical association of a diversity of land uses in close proximity to a major hospital complex; (2) to provide adequate land area for such hospital-related uses; and, (3) to assure a quality and character of site development that will create the environment of safety, quietness, attractiveness and convenience compatible with such hospital complex.

A. *Permitted Hospital District Uses.*

1. *Permitted Hospital District One (HD-1) Uses.* All uses permitted within the HD-1 District shall be subject to the ~~Metropolitan Development~~ Commission's approval, as included with a required site and development plan filed with, and approved by, said Commission as specified in Section 2.02, B.

Hospital complex or hospital campus, including the following accessory uses operated by or for the hospital, and integrally related thereto:

- a. Administrative and professional staff offices.
 - b. Apartments and dormitories for hospital staff, personnel and students.
 - c. Cafeterias, gift shops, book stores and other similar convenience functions.
 - d. Medical, research, multi-service convalescent and educational facilities and buildings, and related functions such as laboratories, auditoriums, class and recreation facilities.
 - e. Off-street parking lots and garages for employees, staff, and visitors; and off-street loading facilities.
 - f. Warehouses, maintenance buildings, laundries, food preparation facilities, and utilities structures.
 - g. Other similar uses and facilities.
2. *Permitted Hospital District Two (HD-2) uses.* All uses permitted within the HD-2 District shall be subject to the ~~Metropolitan Development~~ Commission's approval, as included within a required site and development plan filed with, and approved by, said Commission as specified in Section 2.02, B.
 - a. Apartments, dormitories, and other higher-intensity, permanent or transient residential structures.
 - b. Commercial parking lots and garages.
 - c. Medical laboratories; surgical and medical supply firms; hospital and sickroom equipment sales & rental.
 - d. Nursing, convalescent and retirement homes.
 - e. Offices for physicians, dentists, and other professions dealing with public health.
 - f. Pharmacies; florists; card and gift shops; restaurants; uniform clothing stores; and similar convenience and specialty sales and service businesses.
 - g. Other similar hospital-related or oriented uses.

B. *Site and development plan.* No use, building or structure shall hereafter be established, constructed or used on any land in the HD-1 or HD-2 District for any purpose other than lawfully existed on or prior to July 17, 1968 until a site and development plan for said land, including the proposed Hospital District use or uses shall have been filed with and approved by the ~~Metropolitan Development~~ Commission unless enumerated in Section 2.02, B.3 (Specific Exemptions - Administrator's Approval).

1. *Site and development plan requirements.* Said site and development plan shall include layout and elevation plans for all proposed buildings and structures, and shall indicate:
 - a. Proposed Hospital District uses.
 - b. Any existing uses, buildings and structures.
 - c. Proposed buildings and structures.
 - d. Off-street parking layouts.
 - e. Vehicular entrances and exits and turn-off lanes.
 - f. Setbacks.
 - g. Landscaping, screens, walls, fences.
 - h. Signs, including location, size and design thereof.
 - i. Sewage disposal facilities.
 - j. Storm drainage facilities.
 - k. Other utilities if above ground facilities are needed.

Such site and development plan, proposed use, and building or structure shall:

- : be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan of Marion County, Indiana.
- : create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the Hospital District and with adjacent uses;
- : provide sufficient and adequate access, parking and loading areas;
- : provide traffic control and street plan integration with existing and planned public streets and interior roads;
- : provide adequately for sanitation, drainage and public utilities; and
- : allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana.

The ~~Metropolitan Development~~ Commission may consider and act upon any such proposed use and site and development plan, approve the same in whole or in part, and impose additional development standards, requirements or conditions thereon at any public hearing of the Commission.

Public notice:

HD-1. Public notice of a public hearing of the Commission regarding site and development plan approval shall ~~not~~ be required only to registered neighborhood organizations whose boundaries include all or part of the subject request. In addition; ~~however,~~ the owner/ petitioner filing such plan shall have the right to appear and be heard.

HD-2. Public notice of a public hearing of the Commission regarding site and development plan approval, and notice by the petitioner to adjoining land owners (including, additionally, the major hospital of the adjacent HD-1 District) shall be required in accordance with the Commission's Rules of Procedure.

Such site and development plan, proposed use, and building or structure shall:

~~be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan of Marion County, Indiana.~~

~~create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the Hospital District and with adjacent uses;~~

~~provide sufficient and adequate access, parking and loading areas;~~

~~provide traffic control and street plan integration with existing and planned public streets and interior roads;~~

~~provide adequately for sanitation, drainage and public utilities; and~~

~~allocate adequate sites for all uses proposed the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana.~~

2. *Improvement Location Permit requirements.* No building or structure shall be erected in the HD-1 or HD-2 District without an Improvement Location Permit. Said permit shall not be issued until the site and development plan, including the proposed Hospital District use or uses and plans for such building or structure, shall have been approved by the ~~Metropolitan Development~~ Commission, unless exempt under Section 2.02, B. 3 below in accordance with Section 2.02, B. Applications for an Improvement Location Permit shall be made upon Department of Metropolitan Development forms and shall include all information specified by such forms.

3. *Specific exemptions - administrator's approval.* The filing of an Approval Petition and subsequent Commission Approval shall not be required for the creation or alteration of the following structures or for accomplishing the following types of improvements in the HD-1 and HD-2 Districts. Such structures and improvements, however, shall be required to obtain Administrator's Approval prior to the issuance of an Improvement Location Permit. All provisions and regulations of the zoning ordinance applicable in the particular situation, or commitments related to prior Commission Approval, shall continue to apply.

- a. Improvements to existing structures that do not increase the usable floor area of that structure (for example: canopies, awnings, vestibules, roof line changes, or similar features).
- b. Additions to existing structures which are less than two thousand five hundred (2,500) square feet in area.
- c. Accessory structures permitted in connection with residential development.
- d. Landscaping.
- e. Any incidental sign (as defined by the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended).

C. *Hospital District development standards.* All development within the Hospital Districts shall be in accordance with the site and development plan, as approved by the ~~Metropolitan Development~~ Commission in accordance with Section 2.02, B.

Sec. 2.03. University Quarter District Regulations

A. *Permitted University Quarter District uses.*

1. *Permitted University Quarter One (UQ-1) uses.*

- a. *University uses*, provided, however, prior to the issuance of an Improvement Location Permit for any use, structure, building or development within the UQ-1 DISTRICT, the ~~Metropolitan Development~~ Commission's approval shall be required unless enumerated in Section 2.03, A. 3. (Specific Exemptions - Administrator's Approval).

The petition for such UQ-1 approval shall include a site and development plan. The ~~Metropolitan Development~~ Commission may consider and act upon such petition, approve the same in whole or in part, and impose additional development standards, requirements or conditions thereon at any public meeting of the Commission. Public notice thereof shall not be required; however, the owner/petitioner shall have the right to appear and be heard. The proposed use, building or structure and site and development plan shall:

- (1) Be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan of Marion County, Indiana, including the applicable University Quarter Plan;
- (2) Create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the University Quarter District and with adjacent uses;
- (3) Provide sufficient and adequate access, parking and loading areas;
- (4) Provide traffic control and street plan integration with existing and planned public streets and interior access roads;
- (5) Provide adequately for sanitation, drainage and public utilities; and
- (6) Allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana, including the applicable University Quarter Plan.

2. *Permitted University Quarter Two (Butler University) (UQ-2[B]) uses.*

- a. Any use permitted in the D-5 Dwelling District, subject to all standards, requirements and regulations of Section 2.07 of the Dwelling Districts Zoning Ordinance (D-5 Dwelling District Five Regulations), 89-AO-2, as amended.
- b. University-related group dwelling use (dormitory or fraternal organization) providing residence solely for university students or faculty. Provided however, such university-related group dwelling use shall be subject to the ~~Metropolitan Development~~ Commission's approval, as hereinafter provided, unless enumerated in Section 2.03, A. 3, (Specific Exemptions - Administrator's Approval), and subject to the development standards of Section 2.03, B.

The petition for UQ-2(B) University-related group dwelling use approval shall include a site and development plan. The ~~Metropolitan Development~~ Commission may consider and act upon such petition, approve the same in whole or in part, and impose additional development standards, requirements or conditions thereon at any public hearing of the Commission. Public notice thereof and notice by the petitioner to adjoining land owners in accordance with the Commission's ~~Rules of Procedure~~ shall be required. The proposed use, building or structure, and site and development plan shall:

- (1) Be so designed as to create a superior land development plan, in conformity with the Comprehensive plan of Marion County, Indiana, including the applicable University Quarter Plan;
- (2) Create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the University Quarter District and with adjacent uses;
- (3) Indicate sufficient and adequate access, parking and loading areas - except, however, such primary group dwelling parking area shall not be located within the subject site, but shall be provided within five hundred (500) feet thereof in the adjacent UQ-1 District;
- (4) Provide adequately for sanitation, drainage and public utilities; and

- (5) Allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana, including the applicable University Quarter Plan.
3. Specific exemptions - administrator's approval. The filing of an Approval Petition and subsequent Commission Approval shall not be required for the creation or alteration of the following structures or for accomplishing the following types of improvements in the UQ-1 and University-related group dwelling uses (dormitory or fraternal organization), permitted in the UQ-2(B) Districts. Such structures and improvements, however, shall be required to obtain Administrator's Approval prior to the issuance of an Improvement Location Permit. All provisions and regulations of the zoning ordinance applicable in the particular situation, or commitments related to prior Commission Approval, shall continue to apply.
- a. Improvements to existing structures that do not increase the usable floor area of that structure (for example: canopies, awnings, vestibules, roof line changes, or similar features).
 - b. Additions to existing structures which are less than two thousand five hundred (2,500) square feet in area (UQ-1 District only).
 - c. Landscaping.
 - d. Any incidental sign (as defined by the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended).
- B. University Quarter District development standards.
1. Development standards - UO-1 District uses.
- a. Setback lines and minimum yards.
 - (1) Setback line and minimum front yard. Yards, having a minimum depth in accordance with the setback requirements of Section 2.21, A of the Dwelling Districts Zoning Ordinance, 89-AO-2, as amended, shall be provided along all street right-of-way lines.
 - (2) Minimum side and rear yards. Fifteen (15) feet or one (1) foot for each foot of building height, which ever is greater.
 - b. Maximum building area. Building area (as defined in Section 2.25 of the Dwelling Districts Zoning Ordinance), 89-AO-2, as amended, shall not exceed forty percent (40%) of the lot area.
 - c. Maximum height. Thirty-five (35) feet.
2. Development standards - UO-2(B), University-related group dwelling uses.
- a. Setback lines and minimum yards.
 - (1) Setback line and minimum front yard. Yards, having a minimum depth in accordance with the setback requirements of Section 2.21, A of the Dwelling Districts Zoning Ordinance, 89-AO-2, as amended, shall be provided along all street right-of-way lines.
 - (2) Minimum side and rear yards. Fifteen (15) feet or one (1) foot for each foot of building height, which ever is greater.
 - b. Maximum building area. Building area (as defined in Section 2.25 of the Dwelling Districts Zoning Ordinance), 89-AO-2, as amended, shall not exceed forty percent (40%) of the lot area.
 - c. Maximum height. Thirty-five (35) feet.

SECTION 2.04. RESERVED

CHAPTER II

Sec. 2.04. Special Use District regulations

The following regulations shall apply to all land within the Special Use Districts.

A. Applicability of regulations for Special Use (SU) Districts. After the effective date of this ordinance:

- ~~1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.~~
2. 1. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance and until the proposed site and development plan and landscape plan have been filed with and approved on behalf of the Metropolitan Development Commission by the Administrator of the Neighborhood and Development Services Division or approved by said Metropolitan Development Commission, as hereinafter provided. Said request shall be in the form of an application for an Improvement Location Permit.

Upon the application for such permit request, the Administrator of the Neighborhood and Development Services Division on behalf of the Metropolitan Development Commission, shall consider and either approve, disapprove, or approve subject to any conditions, amendments or covenants by the petitioner, the proposed site and development plan and landscape plan. (The action of the Administrator upon such permit application shall be subject to the filing of an appeal in the form of an Approval Petition, within ten (10) days of denial of said approval, by any aggrieved person to the Metropolitan Development Commission as specified in the Rules of Procedure of the Metropolitan Development Commission.)

The Metropolitan Development Commission may consider and act upon such appeals of the action of the Administrator at any public meeting of the Commission, and shall either approve, disapprove, or approve subject to any conditions, amendments, or covenants by the petitioner, the site and development plan and landscape plan. The Approval Petition shall be heard in accordance with the Metropolitan Development Commission's Rules of Procedure.

No building or structure shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated in said Special Use Districts of Indianapolis, Marion County, Indiana, without an Improvement Location Permit, and said permit shall not be issued until the proposed site and development plan has been approved in accordance with this section.

- ~~3.~~ 2. Legally established nonconforming uses and structures or buildings not located in any Flood Control District may be restored to their original dimensions and conditions if damaged or partially destroyed by fire or other naturally occurring disaster, provided the damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the building or structure affected.
4. 3. All land use within the SPECIAL USE DISTRICTS shall be limited to the use or uses existing on the effective date of this ordinance or specified in the applicable rezoning petition or ordinance redistricting and zoning the particular land to that DISTRICT.

B. PERFORMANCE STANDARDS

~~All uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards. No use in existence on the effective date of this ordinance shall be so altered or modified as to conflict with these standards.~~

- ~~1. VIBRATION No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.~~
- ~~2. SMOKE, DUST Smoke, dust, particulate matter and any other air-borne material shall be subject to, and comply~~
~~AND PARTICU~~

- ~~LATE MATTER~~ with, the standards and regulations of the Air Pollution Ordinance as contained in Chapter 4 of the Code of Indianapolis and Marion County, Indiana, and regulations promulgated pursuant thereto by the Indianapolis Air Pollution Control Board.
3. ~~NOXIOUS MATTER~~ No use shall discharge across the lot lines, noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
 4. ~~ODOR~~ No use shall emit across the lot lines odor in such quantities as to be readily detectable at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
 5. ~~SOUND~~ No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property. Sound shall be muffled so as not to become detrimental due to intermittence, beat, frequency, shrillness or vibration.
 6. ~~HEAT AND GLARE~~ No use shall produce heat or glare creating a hazard perceptible from any point beyond the lot lines.
 7. ~~WASTE MATTER~~ No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana, the Indiana State Board of Health, and the Stream Pollution Control Board of the State of Indiana and the Department of Public Works of Indianapolis, Indiana, or in such a manner as to endanger the public health, safety or welfare or cause injury to property.

C. B. *Development standards.* All uses permitted within the Special Use Districts shall be administratively reviewed (as noted in Section 2.004, A, 1 and 2), using as a guide the development standards applicable to the specified District as follows:

<i>Special Use Zoning District</i>	<i>Applicable District for Development Standards Compliance</i>
SU-1	C-1
SU-2	C-1
SU-3	C-5
SU-5	I-2-S
SU-6	C-2
SU-7	C-2
SU-8	C-2
SU-9	C-1
SU-10	C-1
SU-13	(As per Section 2.00, <u>D4, C</u>)
SU-16	C-5
SU-18	I-1-S
SU-20	C-1
SU-23	I-5-S
SU-28	I-4-S
SU-34	C-3
SU-35	I-2-S
SU-37	C-1
SU-38	C-3
SU-39	C-1
SU-41	I-5-S
SU-42	C-1 (And as per Section 2.00, <u>E4, D</u>)
SU-43	I-1-S
SU-44	C-3 (G.O. 92, 1994) (And as per Section 2.04, E)

The Administrator, in reviewing Special Use District development, shall have the power to modify the standards noted above, and approve alternatives for those requirements so long as the alternative standards are appropriate for the site and its surroundings and the site development is compatible and consistent with the intent of the

stated standards. Such modifications shall be noted on the site and development plan, stamped approved by the Administrator and become a part of the file and requirements for the Improvement Location Permit.

~~D. C.~~ *Additional development standards for the Special Use XIII (SU-13) District.* In addition to the regulations of Section 2.00, A and B, and Section 2.004 A, and B, ~~and C~~, the following regulations shall apply to Special Use District XIII (SU-13):

1. *Land use restriction.* Land use permitted in the SU-13 District shall be limited to "sanitary landfill" operations, as defined in Section 2.045, B.

Whenever the applicable standards or requirements of any other ordinance, or governmental unit or agency thereof are higher or more restrictive, the latter shall control land use permitted in the SU-13 District.

"Open Dumping", as defined in Section 2.045, B, shall not be permitted in the SU-13 District.

No use in the SU-13 District shall be maintained or operated in a manner constituting a hazard to health, safety or the public welfare.

2. *Minimum lot area.* Ten (10) acres.
3. *Minimum frontage.* Three hundred (300) feet.
4. *Minimum yards.* Minimum required depth of front, rear and side yards, surrounding the landfill operation: One hundred (100) feet.

No landfill operation, or portion thereof, shall be permitted within one hundred (100) feet of any lot line.

5. *Fencing.* The entire landfill operation shall be enclosed with a substantial wall, fence at least five (5) feet in height, or other adequate barrier.
6. *Buffer strip.* A buffer planting strip, requiring trees, shrubs and woody vegetation, at least thirty (30) feet in depth, shall be provided and maintained between the lot lines and the above required fencing or other enclosure.
7. *Signs.* Signs and sign structures shall comply with the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended.
8. *Access drive.* Distance of driveway entrance or exit from any adjacent lot line shall be at least one hundred twenty-five (125) feet.

Any portion of such access drive within a distance of one hundred fifty (150) feet of the public street shall be paved or treated so as to be dust free.

9. *Required permit, site & operational plan; bond.*
 - a. No sanitary landfill operation (or phase there-of) shall be permitted in the SU-13 District until a Permit has been issued by the Neighborhood and Development Services Division and a bond filed therefore, as required by sub-paragraph b. hereof.
 - b. Applications for the Permit required by subparagraph a. above shall be made in writing and shall be accompanied by a corporate surety bond for the faithful performance of all applicable requirements of this ordinance, including the operation and the completion of the sanitary landfill in accordance with the approved Site and Operational Plan, as required by sub-paragraph c. hereof. (Such Permit may be issued and bond filed for the total operation or for one or more phases thereof, as shown on the Site and Operational Plan.)

Said bond shall run jointly and severally to the Metropolitan Development Commission of Marion County, Indiana, and any other governmental agency requiring a similar bond, and shall be in the amount of ten thousand dollars (\$10,000.00) per operation, with approved surety. Said

bond shall specify the time for completion of all applicable requirements of this ordinance and shall specify the total operational area, or phase thereof, covered by the bond.

- c. Applications for the Permit required by sub-paragraph a. above shall be accompanied by the following:

- (1) proposed Site and Operational Plan, including topographic maps (at a scale of not over one hundred [100] feet to the inch) with contour intervals which clearly show the character of the land and geological characteristics of the site as determined by on-site testing or from earlier reliable survey data, indicating soil conditions, water tables and subsurface characteristics.

Said Plan shall indicate: the proposed fill area; any borrow area; access roads; on-site drives; grades for proper drainage of each lift required and a typical cross-section of a lift; special drainage devices if necessary; location and type of fencing; structures existing or to be located on the site; existing wooded areas, trees, ponds or other natural features to be preserved; existing and proposed utilities; phasing of landfill operations on the site; a plan and schedule for site restoration and completion; a plan for the ultimate land use of the site; and all other pertinent information to indicate clearly the orderly development, operation and completion of the sanitary landfill. Approval of said Site and Operational Plan by the Administrator of the Neighborhood and Development Services Division shall be required prior to the issuance of said permit.

- (2) An area map.

10. *Operation.*

- a. Supervision of operation. A landfill operation shall be under the direction of a responsible individual at all times. Access to a sanitary landfill shall be limited to those times when an attendant is on duty and only to those authorized to use the site for the disposal of refuse. Access to the site shall be controlled by a suitable barrier.
- b. Unloading of refuse. Unloading of refuse shall be continuously supervised.
- c. Site maintenance. Measures shall be provided to control dust and blowing paper. The entire area shall be kept clean and orderly.
- d. Spreading and compacting of refuse. Refuse shall be spread so that it can be compacted in layers not exceeding a depth of two (2) feet of compacted material. Large and bulky items, when not excluded from the site, shall be disposed of in a manner approved by the Health and Hospital Corporation.
- e. Daily cover. A compacted layer of at least six (6) inches of suitable cover material shall be placed on all exposed refuse by the end of each working day.
- f. Final cover. A layer of suitable cover material compacted to a minimum thickness of two (2) feet shall be placed over the entire surface of each portion of the final lift not later than one (1) week following the placement of refuse within that portion.
- g. Maintenance of cover. All daily cover depths must be continually maintained and final cover depths shall be maintained for a period of two (2) years.
- h. Hazardous materials, including liquids and sewage. Hazardous materials, including liquids and sewage, shall not be disposed of in a sanitary landfill unless special provisions are made for such disposal through the health department having jurisdiction. This provision in no way precludes the right of a landfill operator to exclude any materials as a part of his operational standards.
- i. Burning. No refuse shall be burned on the premises.
- j. Salvage. Salvaging, (the controlled removal of reusable materials), if permitted, shall be organized so that it will not interfere with prompt sanitary disposal of refuse or create unsightliness or health hazards. Scavenging (the uncontrolled removal of materials) shall not be permitted.

- k. Insect and rodent control. Conditions unfavorable for the production of insects and rodents shall be maintained by carrying out routine landfill operations promptly in a systematic manner. Supplemental insect and rodent control measures shall be instituted whenever necessary.
- l. Drainage of surface water. The entire site, including the fill surface, shall be graded and provided with drainage facilities to minimize runoff onto and into the fill, to prevent erosion or washing of the fill, to drain off rainwater falling on the fill, and to prevent the collection of standing water.
- m. Characteristics of cover material. Cover material shall be of such character that it can be compacted to provide a tight seal and shall be free of putrescible materials and large objects.
- n. Water pollution and nuisance control. Sanitary landfill operations shall be so designed and operated that conditions of unlawful pollution will not be created and injury to ground and surface waters avoided which might interfere with legitimate water uses. Water-filled areas not directly connected to natural lakes, rivers or streams may be filled with specific inert material not detrimental to legitimate water uses and which will not create a nuisance or hazard to health. Special approval of the inert material to be used in this manner shall be required in writing from the Health and Hospital Corporation. Inert material shall not include residue from refuse incinerators.
- o. Equipment. Adequate numbers, types and sizes of properly maintained equipment shall be used in operating the landfill in accordance with good engineering practice and with these rules.

Emergency equipment shall be available on the site or suitable arrangements made for such equipment from other sources during equipment breakdown or during peak loads.

- 11. *Completion of landfill.* Upon completion of the landfill operation, or any phase thereof as indicated on the approved Site and Operational Plan, the land shall be graded, backfilled and finished to a surface which will:
 - a. Result in a level, sloping or gently rolling topography in substantial conformity or desirable relationship to the original site, and land area immediately surrounding, and
 - b. Minimize erosion due to rainfall. Such graded or backfilled area shall be sodded or surfaced with soil of a quality at least equal to the topsoil of vegetation producing land areas immediately surrounding, and to a depth of at least six (6) inches.

Said topsoil shall be planted with trees, shrubs, legumes or grasses, as indicated on the approved Site and Operational Plan.

~~E.~~ D. *Additional development standards for the Special Use XXXXII (SU-42) District.* In addition to the regulations of Section 2.00, A and B, and Section 2.004 A, and B and C, the following regulations shall apply to all gas conditioning and control facilities, including odorizing, mixing, metering and high pressure regulating substations permitted under such Special Use District XXXXII (SU-42), and where the word "lot" is used in the following twelve paragraphs it shall be deemed to include, but not be limited to, any area of land designated as a lot on a platted subdivision or described on a duly recorded deed or area or parcel of land or site:

- 1. The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association, a copy of which is on file in the office of the Neighborhood and Development Services Division, Department of Metropolitan Development of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof. Such storage, utilization or manufacture shall not produce a hazard or endanger the public health, safety and welfare.
- 2. All uses shall conform to the Atomic Energy Commission's standards for protection against radiation, a copy of which is on file in the office of the Neighborhood and Development Services Division, Department of Metropolitan Development of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof.
- 3. All uses shall conform to the Federal Communications Commission's standards governing electromagnetic radiation, a copy of which is on file in the office of the Neighborhood and

Development Services Division, Department of Metropolitan Development of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof.

4. No building or structure for uses permitted under such Special Use District XXXXII (SU-42) shall be constructed and no premises shall be used for such purposes on any lot which does not have direct frontage on one (1) permanently surfaced public street or highway.
5. All uses permitted under such Special Use District XXXXII (SU-42) shall provide hardsurfaced, off-street parking areas, including as a minimum requirement one (1) space (containing three hundred-thirty [330] square feet in addition to the necessary ingress and egress lanes) for each two employees, computed on the basis of the greatest number of persons employed at any one period during the day or night. Such parking areas must not extend within twenty (20) feet of any lot boundary except where said lot boundary abuts an active railroad line.

Such parking areas shall not be leased or rented for hire, but shall be for the sole use of the occupants and visitors of the premises.

6. The total of the gross floor area of all structures on the lot, excluding the gross floor area of off-street parking building space, shall not exceed one-half (1/2) the area of the lot on which the structures are located.
7. A front yard shall be required along every front lot line. A front yard shall be not less than the established setback for abutting land; provided, however, in the event such established set-backs of abutting land shall not be of equal depth, the front yard shall be not less than the depth of the greater, and in the event the abutting land is in an Industrial or Commercial District, the front yard shall be not less than sixty (60) feet in depth.

Provided further that in the event said lot adjoins a Dwelling District, the fence and hedge referred to in paragraph (12) hereof shall not be located closer to any street right-of-way than the established setback line of said Dwelling District, said fence to be not less than fifteen (15) additional feet from the outside of the building or structure as provided in said paragraph (12) hereof. Except for necessary walks, drives and parking areas not exceeding ten percent (10%) of the front yard area, a front yard shall be planted in grass or other suitable ground cover.

8. A side yard shall be provided along each side lot line. A side yard shall be at least fifty (50) feet in depth (except where it abuts a main line railroad) plus one (1) foot for each foot of height by which the building or structure exceeds twenty (20) feet.
9. A rear yard shall be provided along each rear yard line. A rear yard shall be at least fifty (50) feet in depth (except where it abuts an active main line railroad) plus one (1) foot for each foot of height by which the building or structure exceeds twenty (20) feet.
10. All signs shall meet the requirements of the Sign Regulations of Marion County, Indiana (71-AO-4).
11. All gas conditioning and control facilities permitted under such Special Use District XXXXII (SU-42) and equipment relating thereto shall be housed in buildings or structures of masonry construction, unless otherwise prescribed by law or by the standards of the National Fire Protection Association which are incorporated herein by reference and made a part hereof.
12. Each building or structure housing such facilities and equipment shall be enclosed by a six (6) foot chain link fence, with locked gate, not less than fifteen (15) feet from the outside of such building or structure and a compact hedge not less than six (6) feet in height between such fence and the property line. Said hedge shall not be located closer than twenty-five (25) feet to any street right-of-way. In the event said lot adjoins a Dwelling District, said fence and hedge shall not be located closer to any street right-of-way than the established setback line of said Dwelling District.

~~F. E.~~ E. *Additional regulations applicable to Special Use XXXXIV (SU-44) District. (G.O. 92, 1994) In addition to the regulations of Section 2.00 A and B, and Section 2.004 A, and B, and C, the following regulations shall apply to Special Use District XXXXIV (SU-44):*

1. *Permitted uses.* The only commercial activities permitted in this district shall be:
 - a. pari-mutuel wagering on horse races, and

- b. providing full service dining facilities

by the holder of a satellite facilities license issued under IC 4-31-5.5.

2. *Development Standards.*

- a. All wagering and food and beverage service shall be conducted entirely inside the facility, which shall be designed so that none of the wagering activities, including bet-taking, video monitors, and odds and contest-result displays, shall be visible to any person at any location outside the facility.
- b. No drive-through service or outside sales shall be permitted.
- c. No outside speakers or video monitors shall be used to advertise or display the contests, odds or other information about the wagering activities conducted within the facility.
- d. Minimum parking of one (1) parking space per employee per largest work shift plus one (1) parking space for each seventy-five (75) square feet of gross area of the facility.
- e. No accessory structures shall be permitted.
- f. Lighting of parking area.

- (1) When parking areas are illuminated, the lighting equipment shall provide good visibility with a minimum of direct glare.

- (2) In applying exterior lighting, equipment shall be of an appropriate type and be so located, shielded and directed that the distribution of light is confined to the area to be lighted.

- (3) Objectionable light onto adjacent properties and streets shall be avoided to prevent direct glare or disability glare.

- (4) Lighting levels for outdoor parking areas shall meet the following minimum average maintained horizontal footcandles (as specified in Architectural Graphics Standards, Eighth Edition, Ramsey/Sleeper John Wiley and Sons, Inc., New York, New York, a copy of which is on file in the office of the Neighborhood and Development Services Division of the Department of Metropolitan Development of Marion County, Indiana and is hereby incorporated by reference and made a part hereof).

- (5) Further, it shall be prohibited to:

- (a) light an area by the use of stringers or unshielded incandescent lamps in which the entire lamp envelope is designed to function as a light emitter; and

- (b) make use of attention attracting lighting from any apparatus of any type similar to that used by emergency vehicles.

3. No use of any land, structure or premises shall be permitted if any portion of the perimeter of the subject lot is located within five hundred (500) feet of the following zoning districts:

- a. Dwelling Districts,
- b. Historic Preservation Districts,
- c. Park Districts,
- d. University Quarter Districts,
- e. SU-1 District (Church),
- f. SU-2 District (School),

- g. SU-37 District (Library),
- h. SU-38 District (Community Center).

In addition to the zoning districts noted above, this regulation shall also apply to any portion of the perimeter of a lot containing a church, elementary school, junior high school, high school, as defined in IC 20-10.1-1, college or university regardless of zoning classification.

If such use is a part of or included within an integrated center, the perimeter of the portion thereof or leased space occupied by such use shall be deemed the perimeter of the lot for purposes of the above distance computation.

Sec. 2.045. Construction of language and definitions.

A. *Construction of language.* The language of this ordinance shall be interpreted in accordance with the following regulations:

1. The particular shall control the general.
2. In the case of any difference of meaning or implication between the text of this ordinance and any illustration or diagram, the text shall control.
3. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. A "building" or "structure" includes any part thereof.
6. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", or "occupied for".
7. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and", "or", or "either...or", the conjunction shall be interpreted as follows:
 - a. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
 - b. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 - c. "Either...or" indicates that all the connected items, conditions, provisions, or events shall apply singly but not in combination.

B. *Definitions.*

1. *Administrator.* Administrator of the Neighborhood and Development Services Division or his/her appointed representative.
2. *Hardsurfaced.* Quality of an outer area being solidly constructed of pavement, brick, paving stone, or a combination thereof.
3. *Lot line.* The legal boundary of a lot as recorded in the office of the Marion County Recorder.
4. *Lot line, front.* The lot line(s) coinciding with the street rights-of-way; in the case of a corner lot, both lot lines coinciding with the street rights-of-way shall be considered front lot lines; or, in the case of a through lot, the lot line which most closely parallels the primary entrance to the primary structure shall be considered the front lot line, or so declared by the Administrator.
5. *Lot line, rear.* A lot line which is opposite and most distant from the front lot line, or in the case of a triangularly shaped lot, a line ten (10) feet in length within the lot, parallel to and at the maximum

distance from the front lot line. However, in the case of a corner lot any, any lot line which intersects with a front lot line shall not be considered a rear lot line.

6. *Lot line, side.* Any lot line not designated as a front or rear lot line.
7. *Open dumping.* A site where refuse is dumped, which due to lack of control may create a breeding place for flies and rats, may catch fire or produce air pollution.
8. *Religious use.* A land use devoted primarily to divine worship together with reasonably related accessory uses, which are subordinate to and commonly associated with the primary use, which may include but are not limited to, educational, instructional, social or residential uses.
9. *Sanitary landfill.* A method of disposing of refuse on land without creating nuisances or hazards to public health, safety, or welfare by utilizing principals of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, covering it with a layer of suitable cover at the conclusion of each day's operation or at more frequent intervals as necessary.
10. *Yard, front.* An open space unobstructed to the sky, extended fully across the lot while situated between the front lot line and a line parallel thereto, which passes through the nearest point of any building or structure and terminates at the intersection of any side lot line.
11. *Yard, rear.* An open space unobstructed to the sky extending fully across the lot situated between the rear lot line and a line parallel thereto which passes through the nearest point of any building or structure and terminates at the intersection of any side lot line.
12. *Yard, side.* An open space unobstructed to the sky extending the length of the lot situated between a side lot line and a line parallel thereto which passes through the nearest point of any building or structure and terminates at the point of contact with any rear or front yards or any lot line, whichever occurs first.

CHAPTER III

Sec. 3.00. Severability. If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 4. This ordinance shall be in full force and effect from and after adoption in compliance with IC 36-7-4.

PROPOSAL NO. 101, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 101, 1995 on February 21, 1995. The proposal amends the Central Business Districts Zoning Ordinance of Marion County regarding off-track betting Pari Mutuel Wagering Facilities in any Central Business District (MDC Docket No. 95-AO-4). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Hinkle, for adoption. Proposal No. 101, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams

3 NAYS: Golc, Moriarty Adams, Mullin

2 NOT VOTING: Giffin, Short

Councillor Short said that he abstained from voting due to a conflict of interest.

Proposal No. 101, 1995 was retitled GENERAL ORDINANCE NO. 29, 1995 and reads as follows:

February 27, 1995

CITY-COUNTY GENERAL ORDINANCE NO. 29, 1995
METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 95-AO-4

A GENERAL ORDINANCE to amend the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County which ordinance includes the Central Business District Zoning Ordinance, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4 establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana, as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana ordinances for the zoning or districting of all lands within the county for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth, now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Central Business District Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Appendix D, (adopted under Metropolitan Development Commission Docket Numbers 64-AO-1, 81-AO-4, 93-AO-1, and 94-AO-1), as amended, pursuant to IC 36-7-4, be further amended as follows:

A. That Section 2.00 be amended by inserting the underscored language as follows:

3. Prohibited Uses:

Uses for which the following Special Use Districts are provided, under the Special Use Districts Zoning Ordinance (as last amended by Docket 94-AO-4) as in effect from time to time, shall not be permitted in any Central Business District created under this Central Business District Zoning Ordinance:

<u>SU-3</u>	<u>Golf course, golf driving range, golf country club - public or private</u>
<u>SU-10</u>	<u>Cemetery</u>
<u>SU-13</u>	<u>Sanitary landfill</u>
<u>SU-18</u>	<u>Light and power substation</u>
<u>SU-23</u>	<u>Permanent gravel or sand processing plant, rock crushing, grinding or milling and stock piling</u>
<u>SU-28</u>	<u>Petroleum refinery and petroleum products storage</u>
<u>SU-39</u>	<u>Water tank, water pumping station and similar structures not located on buildings</u>
<u>SU-41</u>	<u>Sewage disposal plant; garbage feeding and disposal</u>
<u>SU-42</u>	<u>Gas utility</u>
<u>SU-43</u>	<u>Power transmission lines</u>
<u>SU-44</u>	<u>Off-track Pari Mutuel Wagering Facilities, Licensed as Satellite Facilities under IC 4-31-5.5</u>

SECTION 2. If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 3. This ordinance shall be in full force and effect upon its adoption in compliance with IC 36-7-4.

PROPOSAL NO. 102, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 102, 1995 on February 21, 1995. The proposal, sponsored by Councillors Gilmer and Short, approves a public purpose grant to USS Indianapolis Survivors Memorial Organization, Inc. in the amount of \$17,500. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Gilmer, for adoption. Proposal No. 102, 1995 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT VOTING: Rhodes

Proposal No. 102, 1995 was retitled SPECIAL RESOLUTION NO. 18, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 18, 1995

A SPECIAL RESOLUTION approving a public purpose grant to USS Indianapolis Survivors Memorial Organization, Inc. in the amount of \$17,500.

WHEREAS, the City-County Council for the City of Indianapolis and Marion County proposes to authorize the City Controller to make a public purpose grant in the amount of Seventeen Thousand Five Hundred Dollars (\$17,500) to the USS Indianapolis Survivors Memorial Organization, Inc. in its effort to build a memorial on the banks of the downtown Canal to honor those who gave their lives as well as the survivors of the USS Indianapolis; and

WHEREAS, the heavy cruiser USS Indianapolis (CA-35), named after Indiana's capital city, had just delivered the two atomic bombs from the U.S. to Tinian Island when the ship was sunk by a Japanese submarine on July 30, 1945; and

WHEREAS, of the 1,197 sailors and marines on board, 880 lost their lives; and

WHEREAS, Section 4.01(c) of City-County Fiscal Ordinance No. 88, 1994 Annual Budget and Tax Levies for the Consolidated City of Indianapolis and for Marion County, Indiana, requires that sums appropriated therein for public purpose grants shall not be spent until the City-County Council of the City of Indianapolis and of Marion County, Indiana approves the amount and identity of the recipient of each grant; and

WHEREAS, the Council, in concert with Mayor Stephen Goldsmith, finds it fitting and proper that this Grant should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Grant by the City Controller in the amount of Seventeen Thousand Five Hundred Dollars (\$17,500) to USS Indianapolis Survivors Memorial Organization, Inc. is hereby approved. No grant funds shall be used in whole or in part to fund any program which endorses a political candidate or which attempts to promote or influence legislation.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 103, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 103, 1995 on February 21, 1995. The proposal approves a public purpose grant to Central Indiana Radio Reading, Inc. in the amount of \$25,000 for the purpose of providing radio reading programs for the blind and print-disabled in Marion County. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 103, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

2 NOT VOTING: *Beadling, Jimison*

Proposal No. 103, 1995 was retitled SPECIAL RESOLUTION NO. 19, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 19, 1995

A SPECIAL RESOLUTION approving a public purpose grant to Central Indiana Radio Reading, Inc. (CIRRI) in the amount of \$25,000 for the purpose of providing radio reading programs for the blind and print-disabled in Marion County, Indiana.

WHEREAS, the Cable Franchise Board for the City of Indianapolis and Marion County proposes to authorize a public purpose grant in the amount of \$25,000 to Central Indiana Radio Reading Inc., to provide radio reading programs for the blind and print-disabled in Marion County, Indiana (the Grant); and

WHEREAS, Section 2-428 of the Code of Indianapolis and Marion County, Indiana, requires that all public purpose grants shall be subject to appropriation by the City County Council, and the Grant was appropriated by City-County Fiscal Ordinance No. 88, 1994, Annual Budget and Tax Levies for the Consolidated City of Indianapolis and for Marion County, Indiana; and

WHEREAS, Section 4.01(c) of City-County Fiscal Ordinance No. 88, 1994, Annual Budget and Tax Levies for the Consolidated City of Indianapolis and for Marion County, Indiana, requires that sums appropriated therein for public purpose grants shall not be spent until the City County Council of the City of Indianapolis and of Marion County, Indiana approves the amount and identity of the recipient of each grant; and

WHEREAS, the Council now finds that the Grant should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Grant in the amount of \$25,000 to Central Indiana Radio Reading, Inc., is hereby approved. No grant funds shall be used in whole or in part to fund any program which endorses a political candidate or which attempts to promote or influence legislation.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 113, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 113, 1995 on February 22, 1995. The proposal renews the Community Corrections program for fiscal year 1995-1996 and approves the Community Corrections Advisory Board's grant application to the State. By a 5-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 113, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Hinkle*

Proposal No. 113, 1995 was retitled COUNCIL RESOLUTION NO. 32, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 32, 1995

A COUNCIL RESOLUTION renewing the Marion County Community Corrections Program for fiscal year 1995-1996, and approving the actions of the Marion County Community Corrections Advisory Board with respect to the Board's 1995-1996 grant application to the State of Indiana, Department of Corrections.

WHEREAS, the Marion County Community Corrections Advisory Board was established by City-County Special Resolution No. 103, 1981, pursuant to IC 11-12-1; and

WHEREAS, Marion County received a grant from the State of Indiana to finance the Marion County Community Corrections Program for fiscal year 1994-1995, and is currently operating a Community Corrections Program funded by this grant; and

WHEREAS, the Marion County Community Corrections Advisory Board has approved the grant application for fiscal year 1995-1996, a copy of which is on file with the Clerk of the Council and incorporated herein by reference, and has submitted said grant application to the State of Indiana, Department of Corrections for its consideration; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The actions of the Marion County Community Corrections Advisory Board with respect to the Board's grant application to the State of Indiana, Department of Corrections are hereby approved and the Board is authorized to proceed in accordance with IC 11-12-2 and the terms of said application.

SECTION 2. In the event that the State of Indiana, Department of Corrections approves the grant application for Marion County, the City-County Council of Indianapolis and Marion County hereby renews the Community of Corrections Program for a period of one year beginning on July 1, 1995.

SECTION 3. This City-County Council has no intention of supplementing or financing the projects contained in such grant application and approved herein by use of revenues from any local tax regardless of source, except for some programs that the City-County Council wishes to fund. At any time that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the chairman of the Community Corrections Advisory Board or the County Auditor, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue. Any contract, purchase order, or financial commitment by the Community Corrections Advisory Board shall be subject to available non-local revenues and void to the extent such funding is not received or available.

SECTION 4. Notwithstanding IC 11-12-1-3, any agreement or other contract contemplating the lease, purchase or use of residential space for a Community Corrections Program in Marion County must be signed by the Mayor of Indianapolis as County Executive after prior approval of the City-County Council pursuant to IC 36-3.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 116, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 116, 1995 on February 22, 1995. The proposal, sponsored by Councillor McClamroch, is an appropriation from the County General Fund in the amount of \$250 for the Superior Court, Civil Division, Room Five, to pay copier machine rental financed by a transfer of other appropriations for that court. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor McClamroch, for adoption. Proposal No. 116, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

2 NOT VOTING: *Hinkle, Williams*

Councillor Williams abstained from voting due to a conflict of interest.

Proposal No. 116, 1995 was retitled FISCAL ORDINANCE NO. 8, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 8, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Two Hundred Fifty Dollars (\$250) in the County General Fund for purposes of Superior Court, Civil Division, Room Five and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(qq) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Superior Court, Civil Division, Room Five to pay copier machine rental.

SECTION 2. The sum of Two Hundred Fifty Dollars (\$250) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FIVE</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>250</u>
TOTAL INCREASE	250

SECTION 4. The said increased appropriation is funded by the following reduction:

<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FIVE</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	<u>250</u>
TOTAL DECREASE	250

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 125, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 125, 1995 on February 16, 1995. The proposal approves an Interlocal Agreement between the City of Indianapolis and the Town of Cumberland for sewage transportation and treatment services. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Jones, for adoption. Proposal No. 125, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Black, Gray, Jimison*

Proposal No. 125, 1995 was retitled SPECIAL ORDINANCE NO. 4, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 1995

A SPECIAL ORDINANCE approving an Interlocal Agreement between the City of Indianapolis and the Town of Cumberland.

WHEREAS, the City of Indianapolis, acting by and through its Department of Public Works, has entered into an Interlocal Agreement with the Town of Cumberland to permit Cumberland to extend sewer service into certain areas within the Indianapolis Sanitary District; and

WHEREAS, the terms of such Agreement are set forth in an Agreement dated January 4, 1995; and

WHEREAS, under IC 36-1-7-1 et seq., such Agreement must be approved by the City-County Council before it becomes effective; now, therefore

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the City-County Council approves the Interlocal Agreement between the City of Indianapolis and the Town of Cumberland for Sewage Transportation and Treatment Services, a copy of which is attached hereto.

SECTION 2. That the Clerk is directed to publish this ordinance as an Appendix to the Revised Code.

AGREEMENT
BETWEEN THE CITY OF INDIANAPOLIS
AND THE TOWN OF CUMBERLAND
FOR SEWAGE TRANSPORTATION AND TREATMENT SERVICES

THIS AGREEMENT ("Agreement") made and entered into as of the 4th day of January, 1995, by and between the City of Indianapolis, Indiana (hereinafter referred to as "City") duly acting through its Department of Public Works (hereinafter referred to as "Department") and the Town of Cumberland, Indiana, acting by and through its Town Council (hereinafter referred to as "Cumberland");

WITNESSETH THAT:

WHEREAS, Cumberland has a sanitary sewer system in a subdivision known as Hartman Farms, Sections 4 and 5, which, through gravity, can service five to six lots located outside the territorial boundaries of Cumberland on the north side of 10th Street, known as Hartman Farms, Section 6; and

WHEREAS, the City has a sanitary sewer system located at Cumberland Road and Hartland Drive; however, the estimated cost to extend the system to service Hartman Farms, Section 6, would be \$53,480.00, and there is insufficient right-of-way along Cumberland Road to build the extension; and

WHEREAS, Cumberland could provide sanitary sewer service to Hartman Farms, Section 6, from Hartman Farms, Section 4 and 5, at an estimated cost of \$15,300.00; and

WHEREAS, the laws of the State of Indiana (IC 36-1-7-2) permit intergovernmental agreements for services contemplated by this Agreement.

NOW, THEREFORE, the City and Cumberland mutually agree as follows:

1. Cumberland may enter into private contracts with land owners in the areas hereinafter defined to build sewage transportation systems which shall be connected to the sewage transportation system of Cumberland and Cumberland shall provide sewage transportation and sewage treatment services at the Cumberland Sewage Utility for all sewage generated by any system built as a result of such private contracts.

2. Cumberland shall: (a) conduct all inspections of construction of sewage systems constructed pursuant to such private contracts and this Agreement, (b) accept sewage from such system for treatment, (c) provide sewage treatment of all waste water generated by such sewage systems and (d) after dedication and acceptance of such sewage systems, provide maintenance of such sewage systems for the benefit of the users. All inspections and all maintenance after acceptance shall be conducted by or under the supervision of Cumberland.

3. Cumberland shall be entitled to charge connection fees for connection to a sewage system constructed pursuant to this Agreement equal to the amount charged by Cumberland for connections within the territorial limits of Cumberland.

4. All connection fees and all sewer usage fees shall be collected by the Clerk-Treasurer of Cumberland and shall be deposited in the accounts into which such deposits would be deposited if the territory being served were located within the territorial limits of Cumberland.

5. The territory to be served by Cumberland pursuant to this Agreement is described on Exhibit "A" attached hereto. This Agreement may be amended from time to time by the recording of an amendment which

Robert Lewis, Member

Joan Heady, Member

CUMBERLAND TOWN COUNCIL

ATTEST:

Kay Dashley, Clerk-Treasurer

APPROVED AS TO FORM AND LEGALITY:

Edward Brown, Town Attorney

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for the State of Indiana, personally appeared the Town of Cumberland, Indiana, by its Town Council, Ron Sullivan, Mark Tuggle, Les Brown, Robert Lewis, and Joan Heady, who acknowledged the execution of the foregoing Agreement, for and on behalf of said entity.

Witness my hand and Notarial Seal this ____ day of _____, 199__.

Commission Expiration Date

Notary Public Signature

County of Residence

Printed

PROPOSAL NO. 160, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 160, 1995 on February 16, 1995. The proposal amends the Code concerning environmental public nuisances. She said that the primary change to the Code is the creation of a new violation called a "Repeat Violation." When an owner or occupant of a property is cited for a similar environmental public nuisance for the second time within an eighteen-month period, and the City finds upon reinspection that the nuisance has not been corrected, a "Repeat Violation" occurs. The occurrence of a "Repeat Violation" allows the City to file a civil court action against the owner or occupant to whom notice was issued for a \$2500 fine, the maximum amount allowed under the law.

Councillor Coughenour noted that in response to concerns that the enhanced penalty might create judgment liens that will burden a property so that it becomes unsalable and eventually finds its way off the tax rolls, the Board of Public Works has been granted the discretion to release liens imposed under this chapter when it finds that the benefit to the City outweighs the detriment caused by the release.

Councillor Coughenour moved to amend Sec. 575-2(11), Proposal No. 160, 1995, by adding the underlined text and deleting the stricken-through text to read as follows:

Sec. 575-2.

- (11) *Repeat violation* occurs upon a recipient's an owner or occupant's second failure to abate a similar environmental public nuisance for the same property within eighteen (18) months of the date of notice of the most recent violation. A failure to abate occurs after the department has issued a notice of violation described in section 575-5(b) and the time for compliance set forth in the notice has expired.

A repeat violation does not occur when multiple violations of section 575-2(3)(d) are alleged and

- a. the recipient ~~owner or occupant~~ can demonstrate that illegal dumping was the cause of the underlying violations; and
- b. the owner or occupant has made a reasonable effort to prevent illegal dumping from recurring.

Councillor Coughenour stated that at the February 16th Committee hearing on this proposal, an Indianapolis Police Department (IPD) officer told how the high grass hides all kinds of things. Sometimes when police officers go on foot chases they trip over debris resulting in injuries. Mrs. Coughenour said that the neighborhoods are very anxious that action on this proposal be taken before summer. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Franklin said that he opposes Proposal No. 160 because he believes it is oppressive, poorly defined, and the penalty is much too high. He pointed out that this proposal requires no burden of proof that the offender was even notified. He urged the Councillors not to support this proposal.

Councillor Golc stated that he represents an area where there has been a number of public health issues related to lead contamination. There was nothing on the books at that time to help that neighborhood. He commended Councillor Coughenour and her Committee for hearing this proposal. There are public safety and health hazards in some neighborhoods that no one is even aware of at this time. Industry over the last ten-twenty years has left a dumping ground in some of these areas. This proposal begins the process of identifying, regulating and at least looking at those areas which are health and safety hazards. He said that he will be voting for Proposal No. 160.

Councillor Williams said that this particular ordinance focuses on high weeds with the emphasis, at least in her district, on abandoned properties. In the Martindale-Brightwood neighborhood, the weeds and the shrubs are so high on some properties that if there is a structure on the property, it cannot be seen. She said that she presented the Committee with hundreds of lots that were cited last year in Martindale-Brightwood, and hundreds of lots in Eastside Community Investments--vacant lots that were cited repeatedly that had not been cut. No one wants to live next to a property that is unattended. Councillor Coughenour, the Committee members and the Public Works staff need to be commended for this proposal.

Councillor Short asked what the current initial fine is for an environmental public nuisance. Sheila O'Bryan, Assistant Corporation Counsel, stated that there is a provision in the existing ordinance that allows DPW to initiate a civil action against someone for an environmental public nuisance--the fine for that is up to \$2500. Since she has worked in the legal division, the City has never taken anyone to court for an environmental public nuisance. The City has just charged the abatement cost.

Councillor Short asked what the average abatement cost is. Michael Stayton, Director, Department of Public Works, said that DPW abates approximately 600 properties a year at an average cost of roughly \$200 and over half of those are the repeat offenders.

Councillor Gray stated that he supports this ordinance and believes that the fee of \$2500 is not enough. The property owners should be liable for the maintenance and upkeep of their properties.

Councillor Schneider stated that he believes this is a bad piece of legislation because it is hitting a minor problem with a sledgehammer--the \$2500 is entirely too high. Councillor Smith stated that for want of enforcement another law will be passed and he has a problem with that.

Councillor Hinkle said that if most of the Councillors had been sitting in the Committee hearing on this proposal they would have been swayed by the IPD testimony addressing this issue. He also said that it is economically advantageous for absentee landlords to let the City cut their weeds. If Proposal No. 160 is passed, it will no longer be economically advantageous because repeat violators will be fined \$2500. He called for the question.

Councillor Black stated that he agrees with the concept of the proposal, but believes the fine is too high. He asked if Councillor Coughenour would agree to a reduced fine of \$1000. Councillor Coughenour replied that she would not agree to a reduction in the penalty.

Councillor West asked if DPW talked with the city prosecutor about the ability to bring prosecution and if DPW knows what the attitude of the judges is toward the \$2500 fine. Mr. West said that in the past, if the fine is too high, then a judge might find some other reason not to assess the fine. Ms. O'Bryan said that she discussed this with City Prosecutor Mark Mertz, who thought that it was a fair ordinance. He said that he would prosecute it and then would leave it to the judge. Mr. Mertz also supported the \$2500 penalty fine.

Councillor Gilmer stated that he is a member of the Public Works Committee, and the Committee has been discussing this for over two years--it is a fair and just ordinance. Councillor Gilmer seconded Councillor Hinkle's motion to move the question.

Councillor McClamroch said he supports the concept but he has two concerns: (1) a first violation fine that can be up to \$2500, and (2) actual notice to the offender that is not required. Ms. O'Bryan said that this proposal does not require that receipt of notice be proven before the City can go ahead. It is required that the notices be sent to the property owners at the last address they filed with the township assessor. DPW felt that the person most able to control whether or not they got notice was the property owner, and the burden would not be on DPW to chase down a property owner.

Councillor McClamroch said unless it is amended to require evidence of actual receipt for a first time offense, he could not support it.

Councillor O'Dell said that this ordinance assesses a penalty that is very firm and inflexible, which goes against every other fine that has been imposed in the past. He asked what makes this issue any more hazardous or dangerous than other environmental issues. Councillor Coughenour said that the reason this fine is firm and high is to discourage people from having it occur. She said that the point that has been overlooked is that when a person owns something, there is a responsibility to take care of it--there are certain responsibilities that go with ownership.

The President said that there are good arguments on both sides. There are many scofflaws in the City--they are hard to find and hard to corral. On the other side of the coin there are some who abuse the privilege of acting as the neighborhood guardian and sometimes report

properties unwarrantedly. He said that if Indianapolis is going to remain a beautiful city and a healthy city, then something has to be done about the scofflaws.

Councillor Boyd stated that a fundamental shift of responsibility has occurred, so that instead of local government having the responsibility to chase down property owners, it now becomes the responsibility of property owners to respond to notification. He disagrees that the City has to have any evidence of proof that the notice was actually served. Once a person is served notice at their address of record, the City's responsibility has largely been fulfilled. Councillor Boyd urged the Councillors to vote in support of Proposal No. 160.

Councillor Coughenour's motion to amend was seconded by Councillor Rhodes, and it passed by unanimous voice vote. Councillor Coughenour moved, seconded by Councillor Short, for adoption of Proposal No. 160, 1995, as amended. Proposal No. 160, 1995, as amended, was adopted on the following roll call vote; viz:

19 YEAS: *Beadling, Black, Boyd, Coughenour, Curry, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, SerVaas, Short, West, Williams*
10 NAYS: *Borst, Brents, Dowden, Franklin, Giffin, McClamroch, Mullin, Schneider, Shambaugh, Smith*

Proposal No. 160, 1995 was retitled GENERAL ORDINANCE NO. 30, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 30, 1995

A GENERAL ORDINANCE recodifying and amending Chapter 30½, Environmental Public Nuisances, of the Code of Indianapolis and Marion County, Indiana.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby amended to add a new Chapter 575 (which is a revision and recodification of Chapter 30½ of the Code of Indianapolis and Marion County) that deletes the stricken-through text and inserts the underlined text to read as follows:

CHAPTER 575. ENVIRONMENTAL PUBLIC NUISANCES

Sec. ~~30½~~ 575-1. Purpose and intent.

It is hereby declared to be the purpose of this chapter to protect public safety, health and welfare and enhance the environment for the people of the city by making it unlawful for property owners and occupants to allow an environmental public nuisance to exist.

Sec. ~~30½~~ 575-2. Definitions.

For the purpose of this chapter, the following terms shall have the following meanings. The word *shall* is always mandatory and not merely directory.

- (1) *Authorized employee* means an employee of the department of public works.
- (2) *City* means the Consolidated City of Indianapolis and Marion County.
- (3) *Environmental public nuisance* means:
 - a. Vegetation on private or governmental property which is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and which has attained a height of twelve (12) inches or more;

- b. Vegetation, trees or woody growth on private property which, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful use of the governmental property, right-of-way or easement or which has been allowed to become a health or safety hazard;
 - c. A drainage or stormwater management facility as defined in Chapter 10½ of this Code on private or governmental property which facility has not been maintained as required by that chapter;
 - d. Property which has accumulated litter or waste products, unless specifically authorized under existing laws and regulations, or which has otherwise been allowed to become a health or safety hazard.
- (4) *Excluded property* means:
- a. Cultivated land in commercial, domestic, agricultural or horticultural use;
 - b. An existing natural or developed forest which does not create a health or safety hazard;
 - c. Vacant, open lands, fields or wooded areas more than one hundred and fifty (150) feet from occupied property;
 - d. A nature habitat area more than one hundred and fifty (150) feet from an occupied structure on adjacent property and determined by state and/or local governmental health authorities not to be a health or safety hazard; or
 - e. A wetland area designated by the United States Department of Interior Fish and Wildlife Division on a National Wetlands Inventory Map and/or determined to be a wetland area by the Marion County Soil and Conservation Service and/or the Department of Public Works, Drainage Division.
- (5) *Governmental property* means real estate which is owned, leased, controlled or occupied by the United States, the State of Indiana, or any political subdivision thereof.
- (6) *Equipment* means such equipment as trucks, tractors, bulldozers and similar motor vehicles and hand-operated equipment such as weed trimmers and similar equipment.
- (7) *Occupant* means the person, firm, partnership, association, corporation, business trust, joint stock company, unincorporated organization, religious or charitable organization, or ~~any owner, person, persons or entities~~ entity who are is from time to time in possession or exercising dominion and control over the real estate or any house or other structure located thereon. Occupant shall include any lessee of the property.
- (8) *Owner* means the record owner or owners as reflected by the most current records in the township assessor's office of the township in which the real estate is located.
- (9) *Private property* means all real estate within the city except governmental property.
- (10) *Recipient* means the owner or occupant to whom notice of violation has been directed.
- (11) *Repeat violation* occurs upon a recipient's second failure to abate a similar environmental public nuisance for the same property within eighteen (18) months of the date of notice of the most recent violation. A failure to abate occurs after the department has issued a notice of violation described in section 575-5(b) and the time for compliance set forth in the notice has expired.
- A repeat violation does not occur when multiple violations of section 575-2(3)(d) are alleged and
- a. the recipient can demonstrate that illegal dumping was the cause of the underlying violations and
 - b. the owner or occupant has made a reasonable effort to prevent illegal dumping from recurring.

Sec. ~~301/2~~ 575-3. Application of chapter.

(a) Each department or agency of the United States, the State of Indiana, or political subdivision thereof, shall be required to keep governmental property within the city free from environmental public nuisances.

(b) All owners, ~~lessees or~~ occupants, or other persons in control of any private property within the city shall be required to keep the private property free from environmental nuisances.

Sec. ~~301/2~~ 575-4. Prohibited activity.

It shall be unlawful for any property owner or occupant to allow an environmental public nuisance to exist. This provision shall not apply to excluded property.

Sec. ~~301/2~~ 575-5. Determination of violation; notice of violation.

(a) Any department of the city which receives a complaint regarding an environmental public nuisance on any property within the city shall forward that complaint to ~~the environmental enforcement section of the~~ department of public works, where it shall be assigned a case number and entered in a complaint complaint log book. An authorized employee shall visually inspect the property in question. If the authorized employee determines that a violation exists, ~~the environmental enforcement section~~ department shall issue a notice of violation to the owner, and in the department's sole discretion, to the occupant or owner, or both, as provided below:

(ab) Notice of violation shall be issued either by personal service or by first class United States mail, postage prepaid. Such notice shall state the nature of the alleged environmental public nuisance and the action deemed necessary to correct the condition, and shall fix a date not sooner than ten (10) days from the date of the notice when the property will be reinspected. The notice shall inform the ~~occupant or owner~~ recipient that, if the condition is not corrected upon reinspection, the city has the right to enter on the property to abate or correct the condition and bill the ~~owner or occupant~~ recipient for costs incurred in so doing and/or to file a court action against the ~~occupant or owner~~ recipient for ordinance violation. A notice to the occupant at the real estate or to the owner at the address to which property tax statements are sent as these addresses are shown by the most current records in the township assessor's office of the township in which the real estate is located shall be sufficient notice under this subsection.

~~(b) Notice shall also be made by publication in accordance with IC 5-3-1, except that publication shall be made once, at least three (3) days prior to entrance on the property to abate the nuisance. The publication shall contain the common address as well as a short legal description of the property.~~

Sec. ~~301/2~~ 575-6. Correction upon reinspection.

If, upon reinspection, it is determined that the environmental public nuisance has been corrected, the ~~owner or occupant~~ recipient shall not be liable for any charges under section 575-7(b)(1) of this chapter.

Sec. ~~301/2~~ 575-7. Failure to abate after notice; abatement by city.

(a) *Abatement by city.* If, upon reinspection, it is determined by the authorized employee that abatement has not occurred, then the director of the department of public works, or his designee, may enter upon the premises and abate the environmental public nuisance. The ~~occupant or owner~~ recipient shall be liable for the costs of abatement. After abatement is completed, the department of public works shall, either by personal service or first class United States mail, postage prepaid, send the ~~occupant or owner~~ recipient a bill for the costs of abatement.

(b) *Responsibility of Occupant or Owner for Costs of Abatement.*

(1) *Abatement costs.* As reimbursement to the department of public works for its costs the ~~owner or occupant~~ recipient shall, within ten (10) days of the date of the bill, pay to the department of public works of the city the following fees and charges:

a. The following administrative fees for such administrative tasks as inspecting the property to determine compliance, determining ownership and preparing and mailing notices:

Administrative fees \$140.00

- b. The following labor fees per person, per hour, or fraction thereof, for labor necessary to abate an environmental nuisance:

Laborer	\$23.50	24.84
Truck driver	24.25	25.60
Medium Equipment operator	21.50	27.15
Heavy Equipment operator	26.00	28.32
Crew Leader	27.25	29.70

- c. The following equipment fees per machine, per hour, or fraction thereof, for the use of the each piece of equipment necessary to abate an environmental nuisance:

Pick-up truck	\$4.50	4.75
Tractor/bush hog		9.25
Boom truck	18.00	17.70
Backhoe	17.00	16.90
Dump truck (single axle)	19.00	19.40
Dump truck (tandem axle)		21.25
Packer	17.25	19.75
Excavator	31.50	31.60
Dozer (small)		20.25
Dozer (large)		30.00
Loader		21.00
Bobcat or equivalent	14.75	15.00

- d. Any disposal fees actually incurred to dispose of litter and waste products removed;
- e. Any other reasonable fees actually incurred in abating an environmental nuisance.
- f. Administrative, labor and equipment fees may be changed by regulation of the board of public works as necessary to assure that such fees are adequate to reimburse the department.

- (2) *[Hearing].* ~~An owner or occupant~~ recipient may request in writing an informal hearing before the director of the department of public works, or his designee, to dispute the existence of a violation and/or the accuracy of all or part of the costs of abatement billed. Upon receipt of a hearing request, the department shall not take abatement action until after the director or his designee notifies the ~~property owner~~ recipient of his decision. After such hearing, the director of the department of public works, or his designee, shall determine the existence of a violation and/or the accuracy of all or part of the abatement costs billed and shall notify the ~~property owner or occupant~~ recipient of any amounts due to the department. The decision of the director, or his designee, shall be final.

- (3) *Unpaid costs become lien upon affected property; perfecting of lien.* Upon the failure of the owner who was sent a notice of violation and bill to pay the appropriate fees and charges within the ten-day time period, the department of public works of the city shall have a lien upon the property on which the environmental public nuisance was abated for the amount billed in accordance with the fee schedule listed above. In addition, there will be a ten dollar (\$10.00) charge for services necessary in order to perfect such lien. Such liens may be perfected in the following manner:

- a. By the adoption by the board of public works at any regular or special meeting thereof of an assessment resolution, which shall give the name of the owner or owners, a description of the property on which the environmental public nuisance was abated, and the amount of the charges being assessed; and
- b. The certification of such assessment resolution to the auditor of Marion County, who by special assessment shall cause the amount thereof to be placed on a tax duplicate for the property on which the environmental public nuisance was abated for collection as in the nature of a real property tax.
- c. Upon receipt of a written verified request from the purchaser, the department shall release liens perfected after the recorded date of conveyance of the property. The request must state that the purchaser was not an owner or occupant of the property at the time of the notice of violation, had

no knowledge of the notice of violation and has not been paid by the seller for the costs of abatement billed.

- (4) *Civil action to recover costs of abatement.* Upon the failure of the ~~occupant or owner~~ recipient who was sent the notice of violation and bill to pay the appropriate fees and charges within the ten-day period, the department of public works may bring a civil action in court against such ~~occupant or owner~~ recipient to recover the amount billed, plus reasonable attorney's fees.

Sec. ~~3014~~ 575-8. Failure to abate after notice; court action for ordinance violation and/or injunction; court action for repeat violation.

(a) In addition to or in lieu of the foregoing, if, upon reinspection, it is determined by the authorized employee that abatement has not occurred, the department of public works may initiate a civil court action for ordinance violation against the ~~occupant or owner~~ recipient. Such action shall be initiated by submitting a written request to the corporation counsel to file a complaint of ordinance violation and/or to enjoin any environmental public nuisance.

(b) Regardless of whether later abatement by the recipient has occurred, the department of public works may initiate a civil court action for a repeat violation.

Sec. ~~3014~~ 575-9. Penalty.

(a) ~~Any occupant or owner~~ A recipient found in violation of this chapter may be fined not more than two thousand five-hundred dollars (\$2,500.00) for each violation. Each day such violation is permitted to continue may be deemed to constitute a separate violation. A previous violation of this chapter on the same property during the current or preceding calendar year may be considered in determining the penalty assessed. Notwithstanding section ~~4-8~~ 103-3 of this Code, a finding that a violation occurred or an admission that a violation occurred is not required to assess and recover a penalty if the ~~occupant or owner~~ recipient subject to the penalty agrees to pay the penalty pursuant to an agreed judgment or consent decree in a court action for ordinance violation.

(b) Notwithstanding paragraph (a) above, a recipient shall be fined two thousand five hundred dollars (\$2,500.00) for each repeat violation.

(c) The department of public works shall publish a list of the names of owners and occupants who have been cited for a repeat violation under this chapter and the addresses of the affected properties. The director shall determine the frequency of publication.

Sec. ~~3014~~ 575-10. Variance.

An owner or occupant may submit a written request for a variance to the board of public works if compliance with this chapter will cause undue hardship to such owner or occupant without a sufficient corresponding benefit to the health or safety of the public. To receive consideration, such request must be received prior to the time the city abates the environmental nuisance on the property. Upon receipt of a request, the board of public works shall schedule a hearing and notify the owner or occupant of the time and place. At least ten (10) days prior to the hearing, the owner or occupant shall notify in writing the owners and occupants of all property within one hundred and fifty (150) feet of the property for which the variance is requested. The notice shall state the location of the property for which the variance is requested, the nature of the variance requested, and the time and place of the hearing. At the hearing, the owner or occupant requesting the variance, representatives of the city, representatives of state or local governmental health authorities and any person affected by the proposed variance may present evidence. After the hearing, the board of public works may grant or deny the request. The decision of the board of public works shall be final. Within ten (10) days of the decision, written notice of the board of public works' decision shall be given to the owner or occupant who requested the variance.

Sec. ~~3014~~ 575-11. Rules and regulations.

The board of public works may, by resolution, promulgate rules and regulations necessary to implement and carry out the provisions of this chapter.

Sec. 575-12. Release of liens.

The board of public works may release any liens for abatement costs or judgment liens for any other amount due pursuant to this chapter if it finds that the benefit to the city outweighs the detriment caused by such a release. The board may require parties affected by the release to agree to whatever conditions the board deems appropriate; provided, however, all conditions shall be set forth in a conditional release of the lien and shall be recorded in the office of the recorder of Marion County, Indiana. If the board finds that an affected party has failed to comply substantially with the conditions imposed by the board, the release shall be void and the lien affecting the property may be reinstated by the board.

Sec. ~~304~~ 575-13. Reserved for administrative enforcement.

SECTION 2. The expressed or implied repeal or amendment by this ordinance or any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if such remaining provisions can be given the effect intended by the council in adopting this ordinance. To this end, the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Gilmer stated that Proposal Nos. 588, 651, 1994; and Proposal Nos. 133, 134, 135, 136, 137, 138, 139, 140, 141, and 142, 1995 were all heard at the Capital Asset Management Committee meeting on February 22, 1995.

PROPOSAL NO. 588, 1994. The proposal, sponsored by Councillor Jimison, amends the Code by authorizing a traffic signal at Limestone Street and Michigan Street (District 16). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Gilmer moved, seconded by Councillor Jimison, to strike. Proposal No. 588, 1994 was stricken by unanimous voice vote.

PROPOSAL NO. 651, 1994. The proposal, sponsored by Councillor Black, amends the Code by authorizing a multi-way stop at Pennsylvania Street and 32nd Street (Districts 6, 22). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Black, for adoption. Proposal No. 651, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

3 NOT VOTING: *Coughenour, Moriarty Adams, Williams*

Proposal No. 651, 1995 was retitled GENERAL ORDINANCE NO. 31, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 31, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

February 27, 1995

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 25	Pennsylvania St & 32nd St	Pennsylvania St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 25	Pennsylvania St & 32nd St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 133, 134, 135, 136, 137, 138, 139, 140 and 141, 1995. Councillor Gilmer asked for consent to discuss and vote on these nine proposals together. Consent was given. PROPOSAL NO. 133, 1995. The proposal, sponsored by Councillor O'Dell, amends the Code by authorizing intersection controls for Creekside Woods subdivision (District 13). PROPOSAL NO. 134, 1995. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing intersection controls for Bradford Woods subdivision (District 1). PROPOSAL NO. 135, 1995. The proposal, sponsored by Councillor Hinkle, amends the Code by authorizing intersection controls for Summerfield South subdivision, Section 3 (District 18). PROPOSAL NO. 136, 1995. The proposal, sponsored by Councillor O'Dell, amends the Code by authorizing stop signs for Cedar Springs subdivision (District 13). PROPOSAL NO. 137, 1995. The proposal, sponsored by Councillor Dowden, amends the Code by authorizing a multi-way stop at Creekside Lane and Welham Road (District 4). PROPOSAL NO. 138, 1995. The proposal, sponsored by Councillor Schneider, amends the Code by authorizing a yield sign for Kenwood Avenue and Kenwood Court (District 3). PROPOSAL NO. 139, 1995. The proposal, sponsored by Councillor Rhodes, amends the Code by authorizing a multi-way stop for Cranbrook Drive and Huntington Road (District 7). PROPOSAL NO. 140, 1995. The proposal, sponsored by Councillor Rhodes, amends the Code by authorizing a multi-way stop for Haverhill Drive and Merriam Road (District 7). PROPOSAL NO. 141, 1995. The proposal, sponsored by Councillor Rhodes, amends the Code by authorizing a multi-way stop for 58th Street and Tacoma Avenue (District 7). By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal Nos. 133, 134, 135, 136, 137, 138, 139, 140 and 141, were adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

Proposal No. 133, 1995 was retitled GENERAL ORDINANCE NO. 32, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 32, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
28, Pg. 7	Palmyra Dr, Stillcreek Rd	Palmyra Dr	Stop
28, Pg. 7	Palmyra Dr, Younglake Dr	Palmyra Dr	Stop
28, Pg. 7	Palmyra Dr, Regis Ct	Palmyra Dr	Stop
28, Pg. 8	Stillcreek Dr, Creekstone Ct	Stillcreek Dr	Yield

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 134, 1995 was retitled GENERAL ORDINANCE NO. 33, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 33, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
2, Pg. 2	71st St, Bradford Woods Way	71st St	Stop
2, Pg. 2	Bradford Woods Way, Bradford Woods Lane	Bradford Woods Way	Yield

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 135, 1995 was retitled GENERAL ORDINANCE NO. 34, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 34, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

February 27, 1995

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
15, Pg. 10	Summerfield Dr, Studebaker Ln	Summerfield Dr	Stop
15, Pg. 10	Summerfield Dr, Skeeter Ct	Summerfield Dr	Yield
15, Pg. 10	Studebaker Ln, Summerfield Cir	Studebaker Ln	Yield
15, Pg. 10	Studebaker Ln, Skeeter Ct	Studebaker Ln	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 136, 1995 was retitled GENERAL ORDINANCE NO. 35, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 35, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
35, Pg. 2	German Church Rd, Oak Springs Dr	German Church Rd	Stop
35, Pg. 2	Oak Springs Dr, Garden Grace Dr	Oak Springs Dr	Stop
35, Pg. 2	Oak Springs Dr, Oak Springs Ct	Oak Springs Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 137, 1995 was retitled GENERAL ORDINANCE NO. 36, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 36, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
13, Pg. 5	Creekside Ln, Welham Rd	Creekside Ln	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 138, 1995 was retitled GENERAL ORDINANCE NO. 37, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 37, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4, Pg. 8	Kenwood Av, Kenwood Ct	Kenwood Dr	Yield

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 139, 1995 was retitled GENERAL ORDINANCE NO. 38, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 38, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 3	Cranbrook Dr, Huntington Rd	Cranbrook Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 3	Cranbrook Dr, Huntington Rd	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 140, 1995 was retitled GENERAL ORDINANCE NO. 39, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 39, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 6	Haverhill Dr, Merriam Rd	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 141, 1995 was retitled GENERAL ORDINANCE NO. 40, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 40, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 25	58th St, Tacoma Av	Tacoma Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 25	58th St, Tacoma Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 142, 1995. The proposal, sponsored by Councillor Golc, amends the Code by authorizing a traffic signal for Reilly Industries at Gate 6 (3450 W) on Minnesota Street (District 17). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Golc, for adoption. Proposal No. 142, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

2 NOT VOTING: Franklin, Gilmer

Proposal No. 142, 1995 was retitled GENERAL ORDINANCE NO. 41, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 41, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
31, Pg. 10	Minnesota St, Reilly Industries Gate 6 (3450 W)	None	Signal

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL SERVICE DISTRICT COUNCILS
POLICE SPECIAL SERVICE DISTRICT
SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 121, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 121, 1995 on February 22, 1995. The proposal is an appropriation from the Police Service District Fund in the amount of \$27,918 for the Department of Public Safety, Police Division, to fund an additional staff position for the Crime Stoppers program financed by a grant from the Indianapolis Foundation. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:21 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 121, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Brents, Giffin, Moriarty Adams*

Proposal No. 121, 1995 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1995 and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1995

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1995 (Police Special Service District Ordinance No. 2, 1994) appropriating an additional Twenty-seven Thousand Nine Hundred Eighteen Dollars (\$27,918) in the Police Service District Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Police Service District Fund.

BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Police Special Service District Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Department of Public Safety, Police Division to fund the addition of one staff member for the Crime Stoppers program funded by a grant by the Indianapolis Foundation.

SECTION 2. The sum of Twenty-seven Thousand Nine Hundred Eighteen Dollars (\$27,918) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>POLICE SERVICE DISTRICT FUND</u>
<u>POLICE DIVISION</u>	
1. Personal Services	<u>27,918</u>
TOTAL INCREASE	27,918

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>POLICE SERVICE DISTRICT FUND</u>
Unappropriated and Unencumbered	
Police Service District Fund	<u>27,918</u>
TOTAL REDUCTION	27,918

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 122, 1995. The proposal is an appropriation from the Police Service District Fund in the amount of \$679,842 for the Department of Public Safety, Police Division, to hire eighteen police officers financed by a U.S. Department of Justice grant. PROPOSAL NO. 123, 1995. The proposal is an appropriation from the Police Service District Fund in the amount of \$621,992 for the Department of Public Safety, Police Division, to establish a Weed and Seed National Demonstration Program financed by a U.S. Department of Justice grant. Councillor Dowden asked for consent to postpone Proposal Nos. 122 and 123, 1995 until March 20, 1995. Consent was given.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council has been completed, the Chair will now entertain motions for adjournment.

Councillor Boyd stated that he has been asked to offer the following motion for adjournment by Councillor Moriarty Adams in memory of Harry J. Maginn, Thomas M. Gilday, and Gene Gandolph.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Harry J. Maginn, Thomas M. Gilday, and Gene Gandolph. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records

of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:23 p.m.

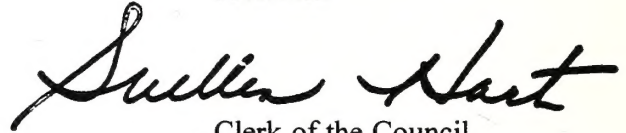
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 27th day of February, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, MARCH 20, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:16 p.m. on Monday, March 20, 1995, with Councillor SerVaas presiding.

Councillor Ruhmkorff led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Beadling introduced Gene and Barb Enderlin of the Landlord Association. Councillor Golc recognized members of the Haughville, Stringtown and Hawthorne Neighborhood Associations.

The President asked for consent to hear Proposal No. 123, 1995 after the opening business; the majority of the audience was interested in that proposal. Consent was given.

Councillor Giffin introduced Alan Kimbel, former City-County Councilman.

OFFICIAL COMMUNICATIONS

Mayor Stephen Goldsmith presented a report on Advanced Wastewater Treatment ("AWT"). He stated that prior to the White River Environmental Partnership ("WREP") assuming responsibility for AWT, Indianapolis already had some of the most efficient treatment plants in the country. The private management contract was projected to result in savings of \$65 million. Now, one year later, the savings will be slightly higher.

Mayor Goldsmith stated: (1) that all city employees who lost employment due to the private management contract either have been placed with WREP or have found employment elsewhere; (2) Minority Business Enterprises and Women Business Enterprises have increased dramatically under the joint partnership as compared to when the City had the contract; and (3) the water quality is better than ever.

Mayor Goldsmith further stated: (1) that the proposed 1994 budget of the AWT was \$30 million and the actual budget for 1994 was \$17 million; (2) WREP reduced employment at the AWT plant from 328 to 176 employees (170 are former City employees); (3) the current employee benefit package exceeds the previous City benefit package; (4) filing of grievances was reduced from 38 to 1; and (5) workplace accidents dropped by more than 70%.

Mayor Goldsmith introduced James Morris, President, Indianapolis Water Company. Mr. Morris praised the accomplishments of WREP. Mr. Morris introduced Michael Stayton, Director, Department of Public Works. Mr. Stayton also praised the accomplishments of WREP.

Councillors Coughenour, Moriarty Adams, Curry, and SerVaas congratulated the Mayor, WREP, Mr. Stayton, and Mr. Morris.

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, March 20, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

March 6, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

March 20, 1995

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, March 9, 1995, a copy of CORRECTIONS OF LEGAL NOTICES published on February 28, 1995. Corrections to publication errors of General Ordinance Nos. 20, 21 and 22, 1995, were published in the NEWS and corrections to publication errors of General Ordinance No. 22, 1995, were published in the COMMERCIAL.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

March 6, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, March 9, 1995, a copy of NOTICE TO TAXPAYERS of Public Hearing on Proposal Nos. 106, 108, 109, 110, 111, 112, 114, 115, 117, 118, 119, 120, 127, 128, 129, 130, 131, 132, 161, and 166, 1995, said hearing to be held on Monday, March 20, 1995, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

March 10, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS on Wednesday, March 15, 1995, a CORRECTION OF NOTICE TO TAXPAYERS, correcting errors in the NEWS' publication, on March 9, 1995, of Proposal No. 108, 1995.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

March 3, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

GENERAL ORDINANCE NO. 26, 1995 - amending the Code by permitting the Sheriff to establish franchise zones for the towing of automobiles

GENERAL ORDINANCE NO. 30, 1995 - amending the Code concerning environmental public nuisances

GENERAL ORDINANCE NO. 31, 1995 - amending the Code by authorizing a multi-way stop at Pennsylvania Street and 32nd Street (Districts 6, 22)

Journal of the City-County Council

GENERAL ORDINANCE NO. 32, 1995 - amending the Code by authorizing intersection controls for Creekside Woods subdivision (District 13)

GENERAL ORDINANCE NO. 33, 1995 - amending the Code by authorizing intersection controls for Bradford Woods subdivision (District 1)

GENERAL ORDINANCE NO. 34, 1995 - amending the Code by authorizing intersection controls for Summerfield South subdivision, Section 3 (District 18)

GENERAL ORDINANCE NO. 35, 1995 - amending the Code by authorizing stop signs for Cedar Springs subdivision (District 13)

GENERAL ORDINANCE NO. 36, 1995 - amending the Code by authorizing a multi-way stop at Creekside Lane and Welham Road (District 4)

GENERAL ORDINANCE NO. 37, 1995 - amending the Code by authorizing a yield sign for Kenwood Avenue and Kenwood Court (District 3)

GENERAL ORDINANCE NO. 38, 1995 - amending the Code by authorizing a multi-way stop for Cranbrook Drive and Huntington Road (District 7)

GENERAL ORDINANCE NO. 39, 1995 - amending the Code by authorizing a multi-way stop for Haverhill Drive and Merriam Road (District 7)

GENERAL ORDINANCE NO. 40, 1995 - amending the Code by authorizing a multi-way stop for 58th Street and Tacoma Avenue (District 7)

GENERAL ORDINANCE NO. 41, 1995 - amending the Code by authorizing a traffic signal for Reilly Industries at Gate 6 (3450 W) on Minnesota Street (District 17)

FISCAL ORDINANCE NO. 2, 1995 - an appropriation from the Information Services Internal Services Fund in the amount of \$437,812 for the Information Services Agency to fund the cost of the redevelopment of the property tax financial system financed by revenues from that fund

FISCAL ORDINANCE NO. 3, 1995 - an appropriation from the State and Federal Grants Fund in the amount of \$329,476 for the Prosecuting Attorney, Marion County Public Defender Agency, Court Administrator Agency, and the County Auditor to fund the Expedited Trial Program which is a joint effort to reduce the population at the Marion County Jail financed by a state grant

FISCAL ORDINANCE NO. 4, 1995 - an appropriation from the Drug Free Community Fund in the amount of \$230,000 for the Court Administrator Agency, Marion County Public Defender Agency, Prosecuting Attorney, and the County Auditor to provide the matching funds required by the grant awarded for the Expedited Trial Program financed by revenues from the Drug Free Community Fund

FISCAL ORDINANCE NO. 5, 1995 - an appropriation from the Supplemental Adult Probation Fees Fund in the amount of \$44,100 for the Superior Court, Criminal Division, Probation Department, to pay an existing lease agreement for outside office space financed by revenues from that fund

FISCAL ORDINANCE NO. 6, 1995 - an appropriation from the Supplemental Adult Probation User Fee Fund in the amount of \$24,600 for the Superior Court, Criminal Division, Probation Department, to provide the 25% matching funds required by the recently awarded federal grant of \$71,350 which is to be utilized for the Automated Probation Case Management System financed by revenues from that fund

FISCAL ORDINANCE NO. 7, 1995 - an appropriation transfer request for \$2,235,000 in the Solid Waste Disposal Fund for the Department of Public Works, Solid Waste Management Division, and reducing a like amount from the Department of Capital Asset Management, Asset Management Division, for the removal and hauling of sludge from the sludge lagoons

SPECIAL ORDINANCE NO. 4, 1995 - approving an Interlocal Agreement between the City of Indianapolis and the Town of Cumberland for sewage transportation and treatment services

SPECIAL RESOLUTION NO. 14, 1995 - recognizing the 67th Fire Department Instructors' Conference in Indianapolis

SPECIAL RESOLUTION NO. 15, 1995 - recognizing the East Indianapolis Sertoma Club

SPECIAL RESOLUTION NO. 16, 1995 - remembering the life of former Deputy Mayor Harry E. Eakin

March 20, 1995

SPECIAL RESOLUTION NO. 17, 1995 - recognizing the 50th anniversary of the *Lawrence Township Journal* newspaper

SPECIAL RESOLUTION NO. 18, 1995 - approving a public purpose grant to USS Indianapolis Survivors Memorial Organization, Inc. in the amount of \$17,500

SPECIAL RESOLUTION NO. 19, 1995 - approving a public purpose grant to Central Indiana Radio Reading, Inc. in the amount of \$25,000 for the purpose of providing radio reading programs for the blind and print-disabled in Marion County

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1995 - an appropriation from the Police Service District Fund in the amount of \$27,918 for the Department of Public Safety, Police Division, to fund an additional staff position for the Crime Stoppers program financed by a grant from the Indianapolis Foundation

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of February 27, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 220, 1995. This proposal, sponsored by Councillor Smith, recognizes Sgt. Gerald L. Young. Councillor Smith read the resolution and presented a copy of the document to Sgt. Young, who expressed appreciation for the recognition. Sgt. Young's wife, Theresa, was also present. Councillor Smith moved, seconded by Councillor Schneider, for adoption. Proposal No. 220, 1995 was adopted by unanimous voice vote.

Proposal No. 220, 1995 was retitled SPECIAL RESOLUTION NO. 20, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 20, 1995

A SPECIAL RESOLUTION recognizing Sgt. Gerald L. Young.

WHEREAS, Sgt. Gerald L. Young is an Indiana University graduate in Criminal Justice, and joined the Indianapolis Police Department in 1966; and

WHEREAS, after only two years on the force, Sgt. Young responded to a liquor store robbery in progress where he confronted the armed assailant, and after an exchange of gunfire, wounded the hold-up criminal; and

WHEREAS, he was awarded Commendations for Outstanding Devotion to Duty in 1968 and 1969, the Chief's Letter of Commendation in 1968, served on the National Transportation Task Force for President Nixon in 1974 and in 1980 served on the first reverse sting under Prosecutor Goldsmith's war on fenced goods; and

WHEREAS, Sgt. Young spent 20 years in the City Controller's Office working with enforcing ordinances and the City-County Council's efforts in closing massage parlors and adult theaters; and

WHEREAS, this year, Sgt. Young received a special Certificate of Appreciation for his 29 years of service in law enforcement in Indianapolis; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and commends Sgt. Gerald L. Young for his proficiency, skill and dedication to law enforcement in this community under four mayors and eight police chiefs.

SECTION 2. The Council wishes him well in his new elected position as Franklin Township Constable.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 221, 1995. This proposal, sponsored by Councillor O'Dell, concerns the Marion County Healthcare Center. Councillor O'Dell read the resolution and presented a copy of the document to Mary "Dubbie" Buckler, James Crawford, Evelyn Sayers, and Charles Williams, who expressed appreciation for the recognition. Charles Williams' wife, Robbie, was also present. Councillor O'Dell moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 221, 1995 was adopted by unanimous voice vote.

Proposal No. 221, 1995 was retitled SPECIAL RESOLUTION NO. 21, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 21, 1995

A SPECIAL RESOLUTION concerning the Marion County Healthcare Center.

WHEREAS, the year 1832 marked the incorporation of the Town of Indianapolis and the beginning of what is now the Marion County Healthcare Center; and

WHEREAS, Marion County government's first home for the poor, originally located west of downtown, was moved to its present site on Brookville Road in the Town of Julietta 96 years ago; and

WHEREAS, Marion County, in the historical buildings erected at that site, has provided aid, comfort and dignity to the poor, elderly, mentally ill and resident patients whose chronic cases did not qualify for hospital care; and

WHEREAS, the site's mission evolved into the establishment of the Marion County Healthcare Center and the creation of one of the first and best Alzheimer's Units in the State of Indiana; and

WHEREAS, after this year, the Marion County Healthcare Center is to close, and a new 240-bed facility of Health and Hospital Corporation is to replace it; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the 163-year tradition of Marion County's provision of residential services for the elderly and those sick of body and mind.

SECTION 2. The Council commends the Healthcare Center's staff, including current Director Kenneth Adkins, volunteers and the immediate past Marion County Healthcare Center's Board -- all of whom devoted hundreds of volunteer hours researching and analyzing the most cost effective options for the continuity of quality care for the Center's resident patients: Roland A. Cook, James T. Crawford, Janet Marosky, Janet A. McSharar, Evelyn Sayers, Charles Williams and James Winemiller.

SECTION 3. A new owner is now in charge of this mission; a new facility is being built; and the torch is being passed.

March 20, 1995

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL SERVICE DISTRICT COUNCIL
POLICE SPECIAL SERVICE DISTRICT
SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 123, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 123, 1995 on March 1, 1995. The proposal is an appropriation from the Police Service District Fund in the amount of \$621,992 for the Department of Public Safety, Police Division, to establish a Weed and Seed National Demonstration Program financed by a U.S. Department of Justice grant. By a 6-1-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Dowden stated that subsequent to the preparation of this proposal, the Indianapolis Police Department was informed by the Federal Bureau of Investigation ("FBI") that several expenditures of the budgeted law enforcement portion of this proposal did not meet the criteria for expenditures of the Federal Forfeiture Funds. Councillor Dowden moved, seconded by Councillor Rhodes, to amend Proposal No. 123, 1995, Section 3, as follows:

DEPARTMENT OF PUBLIC SAFETY,
POLICE DIVISION

1. Personal Services
 2. Supplies
 3. Other Services and Charges
 4. Capital Outlay
- TOTAL INCREASE

POLICE SERVICE DISTRICT FUND

100,000	105,000
19,610	2,860
	469,662
<u>32,720</u>	<u>44,470</u>
	621,992

Councillor West asked why the FBI felt it necessary to change the budget. Councillor Dowden stated that he is unsure of the reason behind the change; however, these funds are under the jurisdiction of the FBI. Councillor Dowden's motion to amend carried by a unanimous voice vote.

The President called for public testimony at 8:00 p.m. Natalie Davis, Law Enforcement Coordinator, U.S. Attorney's Office, praised the residents of Haughville, Hawthorne, and Stringtown. Olgen Williams, Chairman, Westside Cooperative Organization, also expressed praise for the residents' efforts.

Councillors Brents and Golc expressed praise for the Weed and Seed Program and asked for the Council's support of this proposal.

The President asked for consent to hear Proposal No. 162, 1995 next, due to the fact that it is related to Proposal No. 123, 1995. Consent was given.

Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 123, 1995, as amended, was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Short, Smith, West, Williams*
2 NAYS: *Schneider, Shambaugh*
2 NOT VOTING: *Gray, Moriarty Adams*

Councillor Moriarty Adams stated that she abstained from the vote due to a conflict of interest.

Proposal No. 123, 1995, as amended, was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1995 and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1995

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1995 (Police Special Service District Fiscal Ordinance No. 2, 1994) appropriating an additional Six Hundred Twenty-one Thousand Nine Hundred Ninety-two Dollars (\$621,992) in the Police Service District Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Police Service District Fund.

BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Police Special Service District Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of The Department of Public Safety, Police Division to establish a Weed and Seed National Demonstration Program funded by the U.S. Department of Justice.

SECTION 2. The sum of Six Hundred Twenty-one Thousand Nine Hundred Ninety-two Dollars (\$621,992) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY,</u>	<u>POLICE SERVICE DISTRICT FUND</u>
<u>POLICE DIVISION</u>	
1. Personal Services	105,000
2. Supplies	2,860
3. Other Services and Charges	469,662
4. Capital Outlay	<u>44,470</u>
TOTAL INCREASE	621,992

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>POLICE SERVICE DISTRICT FUND</u>
Unappropriated and Unencumbered	
Police Service District Fund	<u>621,992</u>
TOTAL REDUCTION	621,992

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 162, 1995. Councillor Dowden stated that the Public Safety and Criminal Justice Committee heard Proposal No. 162, 1995 on March 1, 1995. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$40,000 for the Prosecuting Attorney to pay salary and fringe benefits for a Community Prosecutor for the Weed and Seed initiative on the near west side financed by a federal grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption.

The President called for public testimony at 8:23 p.m. Mark Massa, Chief Counsel to the Marion County Prosecutor, stated that the Prosecutor would like to implement a system that would assign deputy prosecutors to a specific area of the community, instead of receiving their cases at random. He then stated that the Prosecutor's Office supports the Weed and Seed Program and Deana Garner, Deputy Prosecutor, has already been assigned to the Near West Side area.

Councillor Beadling asked if the deputy prosecutor assigned to the Near West Side would remain if the grant money were no longer being received. Mr. Massa answered in the affirmative.

Councillor Smith moved the question. This motion was seconded by Councillor West.

Councillor Williams asked if this were a new position. Mr. Massa answered in the negative. Councillor Williams asked if there will be a Near West Side prosecutor as well as a Weed and Seed prosecutor. Ms. Garner stated that there will be one prosecutor; the former West District prosecutor has been moved to the East District. Ms. Garner then stated that this proposal will provide for more intensified services in the West District. Councillor Williams asked how the services will be different. Mike Beaver, Director, Department of Public Safety, stated that there will be a deputy prosecutor assigned to the West District four or five days a week as opposed to two or three days in the past.

Proposal No. 162, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West
2 NAYS: Black, Williams

Proposal No. 162, 1995 was retitled FISCAL ORDINANCE NO. 9, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 9, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Forty Thousand Dollars (\$40,000) in the State and Federal Grants Fund for purposes of Marion County Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (w) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecuting Attorney to pay salary and fringe benefits for a Community Prosecutor to reduce criminal activities and fund rehabilitation and prevention activities.

SECTION 2. The sum of Forty Thousand Dollars (\$40,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	31,000
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>9,000</u>
TOTAL INCREASE	40,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>40,000</u>
TOTAL REDUCTION	40,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NOS. 19 and 20, 1995. PROPOSAL NO. 19, 1995. The proposal, sponsored by Councillor McClamroch, reappoints Joe M. Rink to the Cable Franchise Board. PROPOSAL NO. 20, 1995. The proposal, sponsored by Councillor McClamroch, reappoints James E. Sawyers to the Cable Franchise Board. Councillor McClamroch moved to strike both these proposals. Proposal Nos. 19 and 20, 1995 were stricken by a unanimous voice vote.

PROPOSAL NO. 21, 1995. The proposal, sponsored by Councillor Rhodes, reappoints Don Hargadon to the Cable Franchise Board. Councillor Rhodes moved, seconded by Councillor Ruhmkorff, for adoption. This motion carried by a unanimous voice vote.

Proposal No. 21, 1995 was retitled COUNCIL RESOLUTION NO. 33, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 33, 1995

A COUNCIL RESOLUTION reappointing Don Hargadon to the Cable Franchise Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

March 20, 1995

SECTION 1. As a member of the Cable Franchise Board, the Council appoints:

Don Hargadon

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 178, 1995. The proposal, sponsored by Councillor McClamroch, appoints Carlton Curry to the Cable Franchise Board. Councillor Rhodes moved, seconded by Councillor McClamroch, for adoption. This motion carried by a unanimous voice vote.

Proposal No. 178, 1995 was retitled COUNCIL RESOLUTION NO. 34, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 34, 1995

A COUNCIL RESOLUTION appointing Carlton Curry to the Cable Franchise Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Cable Franchise Board, the Council appoints:

Carlton Curry

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 31, 1995. The proposal, sponsored by Councillor McClamroch, reappoints Rudy Hightower to the Board of Public Safety. Councillor Dowden moved, seconded by Councillor McClamroch, for adoption. This motion carried by a unanimous voice vote.

Proposal No. 31, 1995 was retitled COUNCIL RESOLUTION NO. 38, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 38, 1995

A COUNCIL RESOLUTION reappointing Rudy Hightower to the Board of Public Safety.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Safety, the Council appoints:

Rudy Hightower

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 107, 1995. The proposal, sponsored by Councillor McClamroch, renominates Walter Quesenberry for appointment to the Lawrence Economic Development Commission. Councillor Borst moved, seconded by Councillor McClamroch, for adoption. This motion carried by a unanimous voice vote.

Proposal No. 107, 1995 was retitled COUNCIL RESOLUTION NO. 35, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 35, 1995

A COUNCIL RESOLUTION renominating Walter Quesenberry for appointment to the Lawrence Economic Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Lawrence Economic Development Commission, the Council nominates:

Walter Quesenberry

SECTION 2. The nomination made by this resolution is for a term ending February 1, 1998. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 179, 1995. The proposal, sponsored by Councillor McClamroch, reappoints Lance L. Bundles to the Metropolitan Development Commission. Councillor West moved, seconded by Councillor McClamroch, for adoption. Proposal No. 179, 1995 was adopted on the following roll call vote; viz:

23 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

2 NAYS: Boyd, Jimison

4 NOT VOTING: Golc, Gray, Jones, Williams

Proposal No. 179, 1995 was retitled COUNCIL RESOLUTION NO. 36, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 36, 1995

A COUNCIL RESOLUTION reappointing Lance L. Bundles to the Metropolitan Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Development Commission, the Council appoints:

Lance L. Bundles

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 181, 1995. The proposal, sponsored by Councillor McClamroch, appoints Ron Franklin to the Public Housing Board. Councillor West moved, seconded by Councillor McClamroch, for adoption. Proposal No. 181, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

0 NAYS:

5 NOT VOTING: *Golc, Gray, Hinkle, Jones, Williams*

Proposal No. 181, 1995 was retitled COUNCIL RESOLUTION NO. 37, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 37, 1995

A COUNCIL RESOLUTION appointing Ron Franklin to the Public Housing Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Public Housing Board, the Council appoints:

Ron Franklin

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 180, 1995. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Aaron E. Haith to the Public Housing Board"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 183, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE which authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$13,000,000 for the Jewish Federation of Greater Indianapolis, Inc. (6701 Hoover Road, District 2)."

[Clerk's note: Proposal No. 183, 1995 does not need to be referred to Committee since it has already been heard by the Economic Development Committee.]

PROPOSAL NO. 187, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is a new appropriation of \$275,000 to pay the County's portion of the Financial Accounting and Management Information System (FAMIS) for the County Auditor financed by reducing the County General Fund balance"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 188, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is a new appropriation of \$10,000 to pay overtime expenses of the County Surveyor for work performed on behalf of IMAGIS financed by reducing other appropriations for the County Surveyor"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 189, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is a new appropriation of \$10,955 to pay for capital items needed in the kitchen of the Marion County Children's Guardian

Home financed by reducing the County General Fund balance"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 190, 1995. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE adopting a new Wellfield Protection Zoning Ordinance for Marion County, further restricting land uses to protect the ground water/aquifer resources of specifically delineated areas of Marion County"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 191, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending public hearing requirements with respect to disposal of certain land by the Indianapolis Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 192, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is a new appropriation of \$170,000 for landscaping, tree trimming, cart path guard rails, a pedestrian bridge and other miscellaneous improvements financed from Park General/Golf Fund balances"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 193, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation of \$614,755 for the County Auditor, County Sheriff, Presiding Judge of the Municipal Court and the Prosecuting Attorney to defer costs of traffic law enforcement financed by Moving Traffic Deferral Fees collected between September and December 1994"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 194, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation for \$78,331 to pay training expenses for the County Sheriff's Department financed by Continuing Education Fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 195, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is a transfer of appropriations within the Prosecuting Attorney's office to correctly catalogue the nature of expenditures of \$76,500 associated with the Traffic Safety Program financed from the State and Federal Grants Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 196, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation of \$42,924 for the Marion County Justice Agency to cover the cost of continuing participation in the Drug Use Forecasting Program financed by grant revenues of the State and Federal Grants Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 197, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is a transfer of appropriations of

\$15,561 to finance the preparation by Community Corrections of a comprehensive report on youth identified as being victims or perpetrators of violence financed by reducing other appropriations from the State and Federal Grants Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 198, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation for \$197,600 for the Court Administrator to purchase 38 walk-through metal detectors and up to 38 hand wands for use by those courts and agencies that desire security financed from the County General Fund balances"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 199, 1995. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing stop signs for the Parc Estates North subdivision (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 200, 1995. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing stop signs for Sunningdale Commons subdivision, Sections 1 and 2 (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 201, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing stop signs for Hunters Green subdivision, Section 1 (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 202, 1995. Introduced by Councillor Mullin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a multi-way stop at Boyd Avenue and North Avenue (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 203, 1995. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a multi-way stop at 44th Street and Winthrop Avenue (District 6). Councillor Short stated that the same request is listed as Proposal No. 177, 1995 in the agenda. Councillor Gilmer moved, seconded by Councillor Short, to strike Proposal No. 203, 1995. The proposal was stricken by consent.

PROPOSAL NO. 204, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a multi-way stop at Camelback Drive and Buckskin Drive (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 205, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a multi-way stop at Butler Avenue and 13th Street (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 206, 1995. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a multi-way stop at Grace Terrace and La Habra Lane (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 207, 1995. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing the intersection controls at Bowline Drive and Skipjack Drive (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 208, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a passenger and material loading zone on Pearl Street west of Pennsylvania Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 209, 1995. Introduced by Councillors Black, Gray, and Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing restrictions on the west side of Capitol Avenue from 38th Street to 21st Street (Districts 6, 9, 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 210, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing parking restrictions on a segment of Delaware Street at Michigan Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 211, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing parking restrictions on Michigan Street from Holmes Avenue to Miley Avenue, and on Michigan Street from Miley Avenue to White River Parkway West Drive (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 212, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Margaret Maxwell to the Marion County Commission on Youth"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 213, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Ernestine Nicholson to the Equal Opportunity Advisory Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 214, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Joseph M. Rink to the Metropolitan Board of Zoning Appeals II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 215, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Claudia Prosser

to the Indianapolis City-Market Corporation Board"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 216, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Sara Mitten Snyder to the Indianapolis City-Market Corporation Board"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 217, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Chester Carpenter to the Public Housing Board"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 218, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Diana Wilson Hall to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 219, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Charles E. Kendall to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 222, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Felicia Triggs to the Urban Enterprise Association"; and the President referred it to the Metropolitan Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 184, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 184, 1995 on March 16, 1995. The proposal authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$5,500,000 for the EPI Printers, Inc. project (7502 East 86th Street, District 4). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Franklin, for adoption. Proposal No. 184, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

0 NAYS:

3 NOT VOTING: Hinkle, Jimison, Williams

Proposal No. 184, 1995 was retitled SPECIAL ORDINANCE NO. 5, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 5, 1995

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its City of Indianapolis, Indiana Variable Rate Demand Economic Development Revenue Bonds, Series 1995 (EPI Printers, Inc. Project), in the

aggregate principal amount not to exceed \$5,500,000 (the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, a representative of V.I.B., Inc., a Michigan corporation ("V.I.B."), and EPI Printers, Inc., a Michigan corporation ("EPI") (collectively, "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the acquisition, renovation and equipping of an existing building containing approximately 33,500 square feet plus the construction and equipping of an approximately 45,000 square foot addition to the existing building located at 7502 East 86th Street, Indianapolis, Marion County, Indiana on approximately 4.99 acres of land to be used for the manufacturing of printed materials and the distribution of such literature and products; the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project"). The existing building and the expansion thereto as well as the land will be owned by V.I.B. and will be leased to EPI which will own the equipment and furnishings installed in the Project. EPI will initially operate the Project.;

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, construction, renovation, installation and equipping of the Project by issuing its City of Indianapolis, Indiana Variable Rate Demand Economic Development Revenue Bonds, Series 1995 (EPI Printers, Inc. Project), in the aggregate principal amount not to exceed \$5,500,000 (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 15, 1995 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Trust Indenture (the "Indenture") dated as of March 1, 1995 by and between the Issuer and Society Bank, Michigan, as Trustee (the "Trustee") and Key Trust Company of Indiana, N.A., as Co-Trustee (the "Co-Trustees") in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of March 1, 1995, between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Loan Agreement, Indenture, Bond Purchase Agreement, Preliminary Offering Circular, Lease, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of

special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Financing Agreement to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Offering Circular is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Offering Circular is hereby authorized to certify to McDonald & Company Securities, Inc. (the "Underwriter") that the information in the Preliminary Offering Circular with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Offering Circular.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the Underwriter at a price not less than 98.9% of the aggregate principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest not to exceed twelve percent (12.0%) per annum. The use of a Final Offering Circular substantially the same form as the Preliminary Offering Circular approved herein is approved for use and distribution by the Underwriter and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the Placement Agent, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 185, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 185, 1995 on March 16, 1995. The proposal amends S.R. 43, 1993, as amended, by extending the expiration date for Brulin & Company, Inc. through September 30, 1995 (2920 Dr. Andrew J. Brown Avenue, District 22). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 185, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

3 NOT VOTING: Black, Gray, Hinkle

Proposal No. 185, 1995 was retitled SPECIAL RESOLUTION NO. 22, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 45, 1993, as amended, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 45, 1993, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Brulin & Company, Inc. (the "Company") which Inducement Resolution set an expiration date of March 31, 1995 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of March 31, 1995, contained therein and replacing said date with the date of September 30, 1995.

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 186, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 186, 1995 on March 16, 1995. The proposal is an inducement resolution for El-Beulah Retirement Village, Inc. in an amount not to exceed \$4,500,000 for the acquisition, construction, installation and equipping of 68 unit multi-family residential

rental facility for the elderly consisting of 34 one-story buildings containing two living units each to be located at 7606 East 82nd Street, on approximately 12.4 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 4). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 186, 1995 was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

Proposal No. 186, 1995 was retitled SPECIAL RESOLUTION NO. 23, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 1995

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, El-Beulah Retirement Village, Inc., an Indiana not-for-profit corporation (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, construction, installation and equipping of a sixty-eighty (68) unit multi-family residential facility for the elderly consisting of thirty-four (34) one-story buildings containing two (2) living units each to be located at 7606 East 82nd Street, Indianapolis, Indiana on approximately 12.4 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (two (2) jobs at the end of one year plus the creation of a construction job payroll) and the creation of business opportunities to be achieved by the acquisition, construction, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the acquisition, construction, installation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds

of the revenue bonds to the Applicant for the acquisition, construction, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires September 30, 1995, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 223, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on March 13, 1995." The Council did not schedule Proposal No. 223, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 223, 1995 was retitled REZONING ORDINANCE NO. 40, 1995 and is identified as follows:

REZONING ORDINANCE NO. 40, 1995. 94-Z-210 PERRY TOWNSHIP
COUNCILMANIC DISTRICT # 20.
98 EAST MERIDIAN SCHOOL ROAD (approximate address), INDIANAPOLIS.
NATIONAL CHURCH RESIDENCES OF S. INDIANAPOLIS, INC., by Stephen D. Mears, requests
the rezoning of 2.85 acres, being in the C-3 District, to the C-2 classification to provide for construction
of housing for the elderly.

PROPOSAL NOS. 224-227, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on March 16, 1995." The Council did not schedule Proposal Nos. 224-227, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 224-227, 1995 were retitled REZONING ORDINANCE NOS. 41-44, 1995 and are identified as follows:

March 20, 1995

REZONING ORDINANCE NO. 41, 1995. 95-Z-3 (AMENDED) PERRY TOWNSHIP.

COUNCILMANIC DISTRICT # 25

1051 WEST SUMNER AVENUE (approximate address), INDIANAPOLIS.

LINDA KOPETSKY, by G. Thomas Blankenship, requests the rezoning of 4.975 acres, being in the D-A(F) District, to the I-2-S(F) classification to provide for the maintenance, repair and outside storage of trucks and equipment.

REZONING ORDINANCE NO. 42, 1995. 95-Z-25 PERRY TOWNSHIP

230 WEST EPLER AVENUE (approximate address), INDIANAPOLIS.

COUNCILMANIC DISTRICT # 25.

DENNIS E. COPENHAVER, by James B. Burroughs, requests the rezoning of 10.278 acres, being in the D-A and D-3 Districts, to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 43, 1995. 94-Z-217 CENTER TOWNSHIP.

COUNCILMANIC DISTRICT # 15.

2424 EAST WASHINGTON STREET, (approximate address), INDIANAPOLIS.

JAVIER AMEZCUA, by Zoe Urena Weiss, requests the rezoning of 0.59 acre, being in the C-2 and D-5 Districts, to the C-3 classification to provide for the continued use of a parking lot for an existing restaurant.

REZONING ORDINANCE NO. 44, 1995. 95-Z-8 PERRY TOWNSHIP

COUNCILMANIC DISTRICT # 24.

1740 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.

THOMPSON ROAD BAPTIST CHURCH, by Ronald A. Wright, requests the rezoning of 0.74 acre, being in the D-2 District, to the SU-1 classification to provide for the expansion of an existing church.

PROPOSAL NO. 228, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on March 16, 1995."

Councillor Brents made the following motion:

Mr. President:

I move that Proposal No. 228, 1995 (Rezoning Case 95-Z-5) be scheduled for a hearing before this Council at its next regular meeting on April 10, 1995 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

This motion passed by a unanimous voice vote. Proposal No. 228, 1995 is identified as follows:

95-Z-5 WAYNE TOWNSHIP. COUNCILMANIC DISTRICT # 16.

2339 LAFAYETTE ROAD (APPROXIMATE ADDRESS), INDIANAPOLIS.

PLEASANT RUN CHILDREN'S HOME, INC., by James B. Burroughs, requests the rezoning of 14.40 acres, being in the C-4, D-4 and D-S Districts, to the SU-7 classification to provide for a children's group home and corporate offices for a charitable organization.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 69, 1995. The proposal is a transfer of \$310,000 from the County General Fund to the Supplemental Public Defender Fund to make up the 1994 revenue shortfall in the Supplemental Public Defender Fund financed by unappropriated revenues in the County General Fund. Councillor Dowden asked for consent to postpone Proposal No. 69, 1995 until April 10, 1995. Consent was given.

PROPOSAL NO. 106, 1995. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 106, 1995 on March 16, 1995. The proposal is an appropriation from the County General Fund in the amount of \$12,050 for the Cooperative

Extension Service to cover lease and contractual services obligations financed by unappropriated revenues in the County General Fund. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:02 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 106, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

2 NOT VOTING: Beadling, Gray

Proposal No. 106, 1995 was retitled FISCAL ORDINANCE NO. 10, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 10, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Twelve Thousand Fifty Dollars (\$12,050) in the County General Fund for purposes of the Cooperative Extension Service and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(xx) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Cooperative Extension Service to pay for additional rent and contractual services.

SECTION 2. The sum of Twelve Thousand Fifty Dollars (\$12,050) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COOPERATIVE EXTENSION SERVICE</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>12,050</u>
TOTAL INCREASE	12,050

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>12,050</u>
TOTAL REDUCTION	12,050

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 108, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 108, 1995 on February 21, 1995. This proposal is an appropriation from the Redevelopment General Fund in the amount of \$150,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to implement the Facade Improvement Program which promotes the revitalization of the City's redeveloped commercial areas by providing financial incentives to participants

financed by revenues from the Redevelopment General Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:05 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Smith, for adoption. Proposal No. 108, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams

1 NAY: Schneider

1 NOT VOTING: Beadling

Proposal No. 108, 1995 was retitled FISCAL ORDINANCE NO. 11, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 11, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Fifty Thousand Dollars (\$150,000) in the Redevelopment General Fund for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division and reducing the unappropriated and unencumbered balance in the Redevelopment General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division to fund the Facade Improvement program which provides architectural design and rendering assistance to program participants to promote the revitalization of the City's commercial areas, through the provision of financial incentives to individual businessmen and property owners.

SECTION 2. The sum of One Hundred Fifty Thousand Dollars (\$150,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>REDEVELOPMENT GENERAL FUND</u>
<u>NEIGHBORHOOD AND DEVELOPMENT SERVICES DIVISION</u>	
3. Other Services and Charges	<u>150,000</u>
TOTAL INCREASE	150,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>REDEVELOPMENT GENERAL FUND</u>
Unappropriated and Unencumbered	
Redevelopment General Fund	<u>150,000</u>
TOTAL REDUCTION	150,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 109, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 109, 1995 on March 6, 1995. The proposal is an appropriation from the Metropolitan Development General Fund in the amount of \$225,000 for the Department of Metropolitan Development, Neighborhood and Development Services

Division, to implement document imaging for the Metropolitan Development Commission's resolutions, building permit documents, and variance and rezoning documents financed by revenues from the Metropolitan Development General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider asked how the document imaging was performed in the past. Councillor West stated that there is currently a manual system that is very cumbersome.

Councillor Gilmer asked if there is a charge for the new service. Elaine Bedel, Director, Department of Metropolitan Development ("DMD"), stated that she is unaware of any fees associated with this service. Councillor Schneider asked when this service will be implemented. Ms. Bedel stated that she cannot answer that because the service contract has not yet been awarded to an outside source. Councillor Schneider asked if the DMD is continually striving to improve its document handling procedures (i.e., permits). Ms. Bedel answered in the affirmative.

The President called for public testimony at 9:12 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Gilmer, for adoption. Proposal No. 109, 1995 was adopted on the following roll call vote; viz:

25 YEAS: *Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, West, Williams*

0 NAYS:

4 NOT VOTING: *Beadling, Black, Short, Smith*

Proposal No. 109, 1995 was retitled FISCAL ORDINANCE NO. 12, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 12, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Two Hundred Twenty-five Thousand Dollars (\$225,000) in the Metropolitan Development General Fund for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division, and reducing the unappropriated and unencumbered balance in the Metropolitan Development General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division, to implement document imaging for the Metropolitan Development Commission resolutions, building permit documents, and variance and rezoning documents.

SECTION 2. The sum of Two Hundred Twenty-five Thousand Dollars (\$225,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> <u>NEIGHBORHOOD AND DEVELOPMENT SERVICES DIVISION</u>	<u>METROPOLITAN DEVELOPMENT</u> <u>GENERAL FUND</u>
3. Other Services and Charges	225,000
TOTAL INCREASE	225,000

March 20, 1995

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>METROPOLITAN DEVELOPMENT GENERAL FUND</u>
Unappropriated and Unencumbered	
Metropolitan Development General Fund	<u>225,000</u>
TOTAL REDUCTION	225,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 111, 1995. The proposal is an appropriation from the Metropolitan Development General Fund in the amount of \$168,000 for the Department of Metropolitan Development, Planning Division, to increase its current contracts with Indianapolis Project, Inc. and Greater Indianapolis Progress Committee and to provide funding for the Small Business Incubator Program financed by the unappropriated and unencumbered balance in the Metropolitan Development General Fund and by additional tax abatement filing fees. Councillor West asked for consent to postpone Proposal No. 111, 1995 until April 10, 1995. Consent was given.

PROPOSAL NO. 112, 1995. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal No. 112, 1995 on March 9, 1995. The proposal, sponsored by Councillor Jones, is an appropriation from the Park General/Golf Fund in the amount of \$300,000 for the Department of Parks and Recreation, Golf Division, for the construction of a driving range and a maintenance building at Douglass Golf Course financed by the unappropriated and unencumbered fund balance. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Jones introduced Thaddeus Gray, Golf Pro, Douglass Golf Course. Councillor Gray praised Mr. Gray's accomplishments.

Councillor Gilmer asked if the new driving range would be run by the Parks Department. Councillor Giffin stated that it will be under the same privatization as the other City-owned golf courses.

The President called for public testimony at 9:21 p.m. There being no one present to testify, Councillor Giffin moved, seconded by Councillor Jones, for adoption. Proposal No. 112, 1995 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT VOTING: Moriarty Adams

Proposal No. 112, 1995 was retitled FISCAL ORDINANCE NO. 13, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 13, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Three Hundred Thousand Dollars (\$300,000) in the Park General/Golf Fund for purposes of the Indianapolis Department of Parks and Recreation, Golf Division, and reducing the unappropriated and unencumbered balance in the Park General/Golf Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(o) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Indianapolis Department of Parks and Recreation, Golf Division, for the construction of a driving range and a maintenance building at Douglass Golf Course.

SECTION 2. The sum of Three Hundred Thousand Dollars (\$300,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PARKS AND RECREATION

GOLF DIVISION

4. Capital Outlay
TOTAL INCREASE

PARK GENERAL/GOLF FUND

300,000
300,000

SECTION 4. The said additional appropriation is funded by the following reductions:

Unappropriated and Unencumbered
Park General/Golf Fund
TOTAL REDUCTION

PARK GENERAL/GOLF FUND

300,000
300,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 114, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 114, 1995 on February 22, 1995. The proposal is an appropriation from the County General Fund in the amount of \$51,742 for the Superior Court, Juvenile Division/Detention Center, to fund a Magistrate position at the court financed by revenues received from the Marion County Office of Family and Children. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:17 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption.

Councillor Williams asked if this new position would be temporary. Councillor Dowden answered in the negative.

Councillor McClamroch stated that there are unresolved issues concerning this proposal. Councillor McClamroch then moved, seconded by Councillor Smith, to table Proposal No. 114, 1995 until April 10, 1995. This motion carried by a unanimous voice vote.

PROPOSAL NO. 115, 1995. The proposal is an appropriation from the County General Fund in the amount of \$21,175 for the Superior Court, Criminal Division, Room Five, to fund a clerk's salary financed by unappropriated and unencumbered revenues in the County General Fund. Councillor Dowden asked for consent to postpone Proposal No. 115, 1995 until April 10, 1995. Consent was given.

Councillor Dowden asked for consent to hear Proposal Nos. 117 and 118, 1995 at the same time. Consent was given.

PROPOSAL NOS. 117 and 118, 1995. PROPOSAL NO. 117, 1995. The proposal is an appropriation from the Drug Free Community Fund in the amount of \$27,174 for the Marion County Justice Agency to support the Indianapolis Challenge project, which is a coordinated approach to issues and problems concerning substance abuse and related violence in the County financed by revenues from that fund. PROPOSAL NO. 118, 1995. The proposal is an appropriation from the Drug Free Community Fund in the amount of \$487,893 for the Marion County Justice Agency to provide various criminal justice treatment and education programs financed by revenues from that fund. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 117 and 118, 1995 on February 22, 1995. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:27 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 117, 1995 was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, Williams

0 NAYS:

4 NOT VOTING: Brents, Gray, Hinkle, West

Proposal No. 117, 1995 was retitled FISCAL ORDINANCE NO. 14, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 14, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Twenty-seven Thousand One Hundred Seventy-four Dollars (\$27,174) in the Drug Free Community Fund for the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the Drug Free Community Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(dd) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to support the Indianapolis Challenge project, a coordinated comprehensive approach to issues and problems concerning substance abuse and related violence in Marion County.

SECTION 2. The sum of Twenty-seven Thousand One Hundred Seventy-four Dollars (\$27,174) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
3. Other Services and Charges	<u>\$27,174</u>
TOTAL INCREASE	\$27,174

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>DRUG FREE COMMUNITY FUND</u>
Unappropriated and Unencumbered	
Drug Free Community Fund	<u>\$27,174</u>
TOTAL REDUCTION	\$27,174

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 118, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Black, Gray, Hinkle*

Proposal No. 118, 1995 was retitled FISCAL ORDINANCE NO. 15, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Four Hundred Eighty-seven Thousand Eight Hundred Ninety-three Dollars (\$487,893) in the Drug Free Community Fund for purposes of Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the Drug Free Community Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) and (dd) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to provide various criminal justice treatment and education programs.

SECTION 2. The sum of Four Hundred Eighty-seven Thousand Eight Hundred Ninety-three Thousand Dollars (\$487,893) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	80,299
2. Supplies	2,200
3. Other Services and Charges	361,414
4. Capital Outlay	27,500
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	16,480
TOTAL INCREASE	487,893

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>DRUG FREE COMMUNITY FUND</u>
Unappropriated and Unencumbered	
Drug Free Community Fund	487,893
TOTAL REDUCTION	487,893

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Dowden asked for consent to hear Proposal Nos. 119 and 120, 1995 at the same time. Consent was given.

PROPOSAL NOS. 119 and 120, 1995. PROPOSAL NO. 119, 1995. The proposal is an appropriation from the City Cumulative Capital Development Fund in the amount of \$64,213

for the Department of Public Safety, Police Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994. PROPOSAL NO. 120, 1995. The proposal is an appropriation from the City Cumulative Capital Development Fund in the amount of \$1,445,466 for the Department of Public Safety, Fire Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 119 and 120, 1995 on February 22, 1995. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:30 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 119, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Gray*

Proposal No. 119, 1995 was retitled FISCAL ORDINANCE NO. 16, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Sixty-four Thousand Two Hundred Thirteen Dollars (\$64,213) in the City Cumulative Capital Development Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (n) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994.

SECTION 2. The sum of Sixty-four Thousand Two Hundred Thirteen Dollars (\$64,213) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY.

POLICE DIVISION

4. Capital Outlay
TOTAL INCREASE

CITY CUMULATIVE CAPITAL DEVELOPMENT FUND

64,213
64,213

SECTION 4. The said additional appropriation is funded by the following reductions:

CITY CUMULATIVE CAPITAL DEVELOPMENT FUND

Unappropriated and Unencumbered
City Cumulative Capital Development Fund
TOTAL REDUCTION

64,213
64,213

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 120, 1995 was adopted on the following roll call vote; viz:

25 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

4 NOT VOTING: Beadling, Franklin, Gilmer, Gray

Proposal No. 120, 1995 was retitled FISCAL ORDINANCE NO. 17, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 17, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Million Four Hundred Forty-five Thousand Four Hundred Sixty-six Dollars (\$1,445,466) in the City Cumulative Capital Development Fund for purposes of the Department of Public Safety, Fire Division and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (n) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Fire Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994.

SECTION 2. The sum of One Million Four Hundred Forty-five Thousand Four Hundred Sixty-six Dollars (\$1,445,466) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>FIRE DIVISION</u>	<u>CITY CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
4. Capital Outlay	<u>1,445,466</u>
TOTAL INCREASE	1,445,466

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>CITY CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
Unappropriated and Unencumbered	
City Cumulative Capital Development Fund	<u>1,445,466</u>
TOTAL REDUCTION	1,445,466

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 127, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 127, 1995 on March 8, 1995. The proposal is an appropriation from the Arterial Roads and Streets Fund in the amount of \$1,300,000 for the Department of Capital Asset Management, Asset Management Division, to provide funding for curb, sidewalk and resurfacing projects in neighborhoods financed by revenues from that fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Short asked if all contracts have been bid for this year. Greg Henneke, Director, Department of Capital Asset Management, answered in the negative.

Councillor Ruhmkorff stated that she will be voting against Proposal Nos. 127, 129 and 132, 1995 due to the fact that she has repeatedly turned in lists of streets for repair in her district that have not been repaired year after year.

The President called for public testimony at 9:47 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal No. 127, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

1 NAY: *Ruhmkorff*

1 NOT VOTING: *Hinkle*

Proposal No. 127, 1995 was retitled FISCAL ORDINANCE NO. 18, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Million Three Hundred Thousand Dollars (\$1,300,000) in the Arterial Roads and Streets Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Arterial Roads and Streets Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Department of Capital Asset Management, Asset Management Division for CIP projects, specifically curb, sidewalk, and resurfacing projects in neighborhoods.

SECTION 2. The sum of One Million Three Hundred Thousand Dollars (\$1,300,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF CAPITAL ASSET MANAGEMENT
ASSET MANAGEMENT DIVISION

4. Capital Outlay
TOTAL INCREASE

ARTERIAL ROADS AND STREETS FUND

1,300,000
1,300,000

SECTION 4. The said additional appropriation is funded by the following reductions:

Unappropriated and Unencumbered
Arterial Roads and Streets Fund
TOTAL REDUCTION

ARTERIAL ROADS AND STREETS FUND

1,300,000
1,300,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 128, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 128, 1995 on March 8, 1995. The proposal is an appropriation from the Parking Meter Fund in the amount of \$1,250,000 for the Department of Capital Asset Management, Asset Management Division, to supplement the City's investment in

infrastructure in parking meter areas financed by revenues from that fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Curry asked if this appropriation will be spent in areas that are not immediately adjacent to streets where parking meters are located. Mr. Henneke answered in the affirmative. Councillor Curry asked if parking meter funds are supposed to be spent only on streets with parking meters or streets connected thereto. Mr. Henneke answered in the affirmative. Councillor Curry stated that he will not be supporting this proposal.

Councillor Gilmer stated that the ordinance regarding the spending of parking meter funds needs to be amended.

The President called for public testimony at 9:56 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Jones, for adoption. Proposal No. 128, 1995 was adopted on the following roll call vote; viz:

23 YEAS: Black, Borst, Boyd, Brents, Coughenour, Dowden, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Williams
4 NAYS: Curry, Franklin, Ruhmkorff, West
2 NOT VOTING: Beadling, Gray

Proposal No. 128, 1995 was retitled FISCAL ORDINANCE NO. 19, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 19, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) in the Parking Meter Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Parking Meter Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management, Asset Management Division, to supplement the City's investment in infrastructure in parking meter areas.

SECTION 2. The sum of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF CAPITAL ASSET MANAGEMENT

ASSET MANAGEMENT DIVISION

4. Capital Outlay
TOTAL INCREASE

PARKING METER FUND

1,250,000
1,250,000

SECTION 4. The said additional appropriation is funded by the following reductions:

PARKING METER FUND

Unappropriated and Unencumbered
Parking Meter Fund
TOTAL REDUCTION

1,250,000
1,250,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 129, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 129, 1995 on March 8, 1995. The proposal is an appropriation from the City Cumulative Capital Improvement Fund in the amount of \$800,000 for the Department of Capital Asset Management, Asset Management Division, to provide funding for curb, sidewalk, and resurfacing projects financed by revenues from that fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:58 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Golc, for adoption. Proposal No. 129, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
1 NAY: *Ruhmkorff*

Proposal No. 129, 1995 was retitled FISCAL ORDINANCE NO. 20, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Eight Hundred Thousand Dollars (\$800,000) in the City Cumulative Capital Improvement Fund for purposes of the Department of Capital Asset Management, Asset Management Division and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Improvement Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Department of Capital Asset Management, Asset Management Division to provide funding for curb, sidewalk, and resurfacing projects.

SECTION 2. The sum of Eight Hundred Thousand Dollars (\$800,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	
<u>ASSET MANAGEMENT DIVISION</u>	<u>CITY CUMULATIVE CAPITAL IMPROVEMENT FUND</u>
4. Capital Outlay	800,000
TOTAL INCREASE	800,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>CITY CUMULATIVE CAPITAL IMPROVEMENT FUND</u>
Unappropriated and Unencumbered	
City Cumulative Capital Improvement Fund	800,000
TOTAL REDUCTION	800,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 130, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 130, 1995 on March 8, 1995. The proposal is an appropriation from the Sanitation General Fund in the amount of \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to fund unanticipated capital improvements greater than \$25,000 financed by revenues from that fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor West asked if the lift station will be able to use these funds. Mr. Henneke stated that he cannot answer that question at this time.

The President called for public testimony at 10:00 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Schneider, for adoption. Proposal No. 130, 1995 was adopted on the following roll call vote; viz:

29 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

Proposal No. 130, 1995 was retitled FISCAL ORDINANCE NO. 21, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Million Dollars (\$1,000,000) in the Sanitation General Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management, Asset Management Division, for capital improvements greater than \$25,000 which will be necessary at the advanced wastewater treatment plants.

SECTION 2. The sum of One Million Dollars (\$1,000,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF CAPITAL ASSET MANAGEMENT
ASSET MANAGEMENT DIVISION

4. Capital Outlay
TOTAL INCREASE

SANITATION GENERAL FUND
1,000,000
1,000,000

SECTION 4. The said additional appropriation is funded by the following reductions:

Unappropriated and Unencumbered
Sanitation General Fund
TOTAL REDUCTION

SANITATION GENERAL FUND
1,000,000
1,000,000

PROPOSAL NO. 131, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 131, 1995 on March 8, 1995. The Proposal is an appropriation

from the Sanitary District General Improvement Fund in the amount of \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to supplement investment in Combined Sewer Overflow projects throughout the City financed by reducing the unappropriated and unencumbered balance in that fund.

Councillor McClamroch stated that there are unresolved issues concerning this proposal. Councillor McClamroch then moved, seconded by Councillor O'Dell, to postpone Proposal No. 131, 1995 until April 10, 1995. This motion carried by a unanimous voice vote.

PROPOSAL NO. 132, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 132, 1995 on March 8, 1995. The proposal is an appropriation from the Transportation General Fund in the amount of \$10,074,307 for the Department of Capital Asset Management, Asset Management Division, to provide funding for (1) additional resurfacing, curb and sidewalk repairs in neighborhoods; (2) service agreement for Washington Street; and (3) design work on I-70 and Six Points Road. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Smith asked if funds received for the maintenance of Washington Street will be put in a dedicated fund. Mr. Henneke answered in the negative and stated that the funds will be placed in the Transportation General Fund. Councillor Golc stated that he feels those monies should be placed in a dedicated fund.

The President called for public testimony at 10:11 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor O'Dell, for adoption. Proposal No. 132, 1995 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams
1 NAY: Ruhmkorff

Councillor Beadling asked about the reimbursement from the Federal Government on the I-70 project. Mr. Henneke stated that the State has \$1.5 million set aside for that project. The City is being reimbursed for expenses as the project progresses.

Councillor O'Dell asked about the control of U.S. 40. Mr. Henneke stated that U.S. 40 is now bypassed on I-465 and the City has control of Washington Street (within the I-465 boundaries).

Proposal No. 132, 1995 was retitled FISCAL ORDINANCE NO. 22, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Ten Million Seventy-four Thousand Three Hundred Seven Dollars (\$10,074,307) in the Transportation General Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management, Asset Management Division, to provide funding for (1) additional resurfacing, curb and sidewalk repairs in neighborhoods; (2) service agreement for Washington Street; and (3) design work on I-70 and Six Points Road. Additional revenues of Six Million Three Hundred Thousand Dollars (\$6,300,000) from the State of Indiana will support the Washington Street and I-70 and Six Points Road projects.

SECTION 2. The sum of Ten Million Seventy-four Thousand Three Hundred Seven Dollars (\$10,074,307) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	<u>TRANSPORTATION GENERAL FUND</u>
<u>ASSET MANAGEMENT DIVISION</u>	
3. Other Services and Charges	1,000,000
4. Capital Outlay	<u>9,074,307</u>
TOTAL INCREASE	10,074,307

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	<u>10,074,307</u>
TOTAL REDUCTION	10,074,307

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 161, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 161, 1995 on February 22, 1995. The proposal is an appropriation from the Advanced Wastewater Treatment Facilities Reserve Fund in the amount of \$10,795,000 for the Department of Capital Asset Management, Finance and Administration Division, to make capital expenditures for the City's advanced wastewater treatment plant financed by revenues from that fund. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:15 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Dowden, for adoption. Proposal No. 161, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West
2 NAYS: Gray, Williams
1 NOT VOTING: Giffin

Councillor Giffin stated that he abstained due to a conflict of interest.

Proposal No. 161, 1995 was retitled FISCAL ORDINANCE NO. 23, 1995 and reads as follows:

March 20, 1995

CITY-COUNTY FISCAL ORDINANCE NO. 23, 1995

A FISCAL ORDINANCE of the City of Indianapolis, Indiana and the County of Marion, Indiana, appropriating in the Advanced Wastewater Treatment Facilities Reserve Fund for the purpose of making capital expenditures for the City's advanced wastewater treatment plant.

WHEREAS, the City-County Council created a special fund designated as the "advanced wastewater treatment facilities reserve" in 1985; and

WHEREAS, the fund is for capital expenditures for the repair, remodeling, addition to or replacement of major facilities at the city's advanced wastewater treatment plant; and

WHEREAS, the capital expenditures shall be limited to capital equipment with an anticipated usable life in excess of at least fifteen (15) years; and

WHEREAS, the replacement cost of the capital expenditures is in excess of two hundred thousand dollars (\$200,000); and

WHEREAS, the fund has a fifteen million dollar (\$15,000,000) balance; and

WHEREAS, the city has identified capital expenditures necessary at the advanced wastewater treatment plant for the proper operation of such plant that meet the requirement of the fund; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The Department of Capital Asset Management has determined the following capital projects are reasonable and necessary for the proper operation of the advanced wastewater treatment plant:

(a)	Replace traveling screens	295,000
(b)	Solid processing main control system	300,000
(c)	Replace belt filter presses	500,000
(d)	Belmont Rehabilitation of switchgear	500,000
(e)	Replace main control system	5,200,000
(f)	Convert pre-aeration to primary	2,000,000
(g)	Improve bypass ability to effluent pump station	1,000,000
(h)	WREP capital project contingency fund	<u>1,000,000</u>
	Total Projects	10,795,000

SECTION 2. The Department of Capital Asset Management is authorized to take any actions it determines necessary or appropriate to complete the project listed in Section 1, but shall not be authorized to add additional projects not listed, without approval of the City-County Council.

SECTION 3. The appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the capital projects describe in Section 1 above. Any surplus of such projects shall be credited to the Advanced Wastewater Treatment Facilities Reserve Fund.

SECTION 4. The sum of Ten Million Seven Hundred Ninety-five Thousand Dollars (\$10,795,000) is hereby appropriated for the purposes set forth in Section 1, and the budget of the Department of Capital Asset Management, Finance and Administration Division, increased by the following additional appropriation:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	<u>ADVANCED WASTEWATER TREATMENT</u>
<u>FINANCE AND ADMINISTRATION DIVISION</u>	<u>FACILITIES REVENUE FUND</u>
3. Other Services and Charges	<u>10,795,000</u>
TOTAL INCREASE	10,795,000

SECTION 5. The appropriation is funded by reducing the balance in the Advanced Wastewater Treatment Facilities Reserve Fund.

Councillor Gilmer asked for consent to hear Proposal No. 177, 1995 at this time. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 177, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 177, 1995 on March 8, 1995. The proposal amends the Code by authorizing a multi-way stop at Winthrop Avenue and 44th Street (District 6). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Black, for adoption. Proposal No. 177, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, Shambaugh, Short, Smith, West, Williams*

1 NAY: *SerVaas*

Proposal No. 177, 1995 was retitled GENERAL ORDINANCE NO. 42, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 42, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 32	Winthrop Av & 44th St	Winthrop Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 32	Winthrop Av & 44th St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 166, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 166, 1995 on March 1, 1995. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$45,000 for the Superior Court, Juvenile Division/Detention Center, to provide for an attorney for Child Advocates, Inc. financed by a state grant. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:20 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Rhodes, for adoption. Proposal No. 166, 1995 was adopted on the following roll call vote; viz:

March 20, 1995

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Hinkle*

Proposal No. 166, 1995 was retitled FISCAL ORDINANCE NO. 24, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 24, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Forty-five Thousand Dollars (\$45,000) in the State and Federal Grants Fund for purposes of Superior Court, Juvenile Division/Detention Center, and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(kk) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Juvenile Division/Detention Center, to fund an attorney for the Child Advocates Inc.

SECTION 2. The sum of Forty-five Thousand Dollars (\$45,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

SUPERIOR COURT, JUVENILE
DIVISION/DETENTION CENTER

3. Other Services and Charges
TOTAL INCREASE

STATE AND FEDERAL GRANTS FUND

45,000
45,000

SECTION 4. The said additional appropriation is funded by the following reductions:

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered
State and Federal Grants
TOTAL REDUCTION

45,000
45,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 64, 1995. The proposal amends Sec. 22-2 of the Code to provide penalties for persons unlawfully sledding in City parks and golf courses. Councillor Giffin moved, seconded by Councillor Borst, to strike Proposal No. 64, 1995. This motion carried by a unanimous voice vote.

Councillor Giffin asked for consent to hear Proposal No. 63, 1995 at this time. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 63, 1995. The proposal amends Chapter 282 of the Revised Code eliminating the White River Greenway Development Board. Councillor Giffin moved, seconded by Councillor Coughenour, to return Proposal No. 63, 1995 to committee. This motion carried by a unanimous voice vote.

PROPOSAL NO. 560, 1994. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 560, 1994 on March 15, 1995. The proposal, sponsored by Councillor Coughenour, amends the Revised Code by adding a new Chapter 295, Contracting Requirements. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Curry moved, seconded by Councillor Coughenour, for adoption. Proposal No. 560, 1994 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

4 NOT VOTING: *Giffin, Gray, Schneider, SerVaas*

Proposal No. 560, 1994 was retitled GENERAL ORDINANCE NO. 43, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 43, 1995

A GENERAL ORDINANCE amending the Revised Code by adding a new Chapter 295, Contracting Requirements.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby, amended by adding a new Chapter 295, to read as follows:

CHAPTER 295. CONTRACTING REQUIREMENTS

Sec. 295-1. Definitions. Whenever used in this chapter, the following definitions apply:

(a) *Construction* means the building, erection, alteration, demolition or repair (including but not limited to dredging, excavating, and painting) of public buildings, structures, sewers, stormwaste drains, highways and other improvements or additions to real property. It does not include routine repairs, or the remediation of environmentally impaired public buildings, structures, sewers, stormwaste drains, highways or other improvements or additions to real property.

(b) *Contract* means all types of agreements, grants, and orders for the procurement or disposal of supplies, services, construction, insurance or any other item. It includes awards and notices of awards, contracts of a fixed price, cost, cost plus fixed fee, or incentive types, contracts providing for the issuance of job orders, task orders, or task letters thereunder; letter contracts, purchase orders and leases.

(c) *Contractor* shall mean any person having a contract with the city.

(d) *Invitation for bids* means all documents including documents attached or incorporated by reference, utilized for soliciting bids in accordance with the procedures set forth in Article-- (competitive sealed bidding).

(e) *Purchase request* means a document whereby an agency requests that a contract be obtained for a specified need, and may include, but is not limited to, the technical description of the requested item, delivery

schedule, transportation, criteria for evaluation of solicitees, suggested sources of supply, and information supplied for the making of any determination and finding required pursuant to section.

Sec. 295-2. Contents of contracts for consulting or design services.

(a) The purchase request for any consulting or design services which contemplates a report or recommendation about anticipated future construction shall provide that the contractor will agree not to respond to any invitation to bid, nor to bid, on any contract for construction which is the subject of such consultation or design services. All contracts awarded for design or consulting services shall contain a provision that the contractor is disqualified and agrees not to bid on any future contracts for construction that may be connected with the scope of the consulting or design services for which the contract is issued.

(b) This section shall not apply to contracts for design-build services provided that the director of the department determines that a purchase request for a single contractor to provide design and construction services is in the best interests of the department.

**SPECIAL SERVICE DISTRICT COUNCILS
SPECIAL ORDERS - PUBLIC HEARING**

POLICE SPECIAL SERVICE DISTRICT

PROPOSAL NO. 122, 1995. The proposal is an appropriation from the Police Service District Fund in the amount of \$679,842 for the Department of Public Safety, Police Division, to hire eighteen police officers financed by a U.S. Department of Justice grant. Councillor Dowden asked for consent to postpone Proposal No. 122, 1995 until April 10, 1995. Consent was given.

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL

PROPOSAL NO. 110, 1995. The proposal is an appropriation from the Solid Waste Collection Service District Fund in the amount of \$1,630,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to clean up demolished buildings under the Unsafe Building Program financed by the unappropriated and unencumbered balance in that fund. Councillor Coughenour asked for consent to postpone Proposal No. 110, 1995 until April 24, 1995. Consent was given.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council had been completed, the Chair would then entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillors Smith and Moriarty Adams in memory of Mrs. Evelyn Foley; and
- (2) Councillor Boyd in memory of Harold Crowder, Gladys Bennett, Don R. Brineman, and Joy E. Jackson Mays.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Mrs. Evelyn Foley, Harold Crowder, Gladys Bennett, Don R. Brineman, and Joy E. Jackson Mays. He respectfully asked the support of fellow Councillors. He further requested that the motion be

made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

Robert G. Elrod, General Counsel, read the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 95-Z-5, Council Proposal No. 228, 1995, at its next regular meeting on April 10, 1995, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 14.40 acres at 2339 Lafayette Road from C-4, D-4 and D-S Districts to SU-7 classification to provide for a children's group home.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:33 p.m.

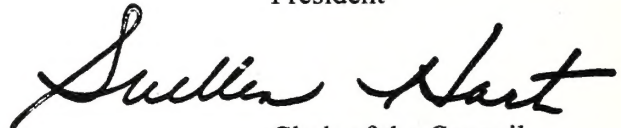
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 20th day of March, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, APRIL 10, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:14 p.m. on Monday, April 10, 1995, with Councillor SerVaas presiding.

Councillor Jimison led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

A quorum of twenty-nine members being present, the President called the meeting to order.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers,

Journal of the City-County Council

on Monday, April 10, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

March 22, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Friday, March 24, 1995, a copy of NOTICE TO TAXPAYERS OF A PUBLIC HEARING on Proposal No. 228, 1995.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

March 21, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, March 23, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 164, 165, 167, and 196, 1995.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

March 22, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinance:

SPECIAL ORDINANCE NO. 5, 1995 - authorizing the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$5,500,000 for the EPI Printers, Inc. project (7502 East 86th Street, District 4)

Respectfully,
s/Stephen Goldsmith, Mayor

March 27, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

April 10, 1995

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

GENERAL ORDINANCE NO. 42, 1995 - amending the Code by authorizing a multi-way stop at Winthrop Avenue and 44th Street (District 6)

GENERAL ORDINANCE NO. 43, 1995 - amending the Revised Code by adding a new Chapter 295, Contracting Requirements

FISCAL ORDINANCE NO. 9, 1995 - an appropriation from the State and Federal Grants Fund in the amount of \$40,000 for the Prosecuting Attorney to pay salary and fringe benefits for a Community Prosecutor for the Weed and Seed initiative on the near west side financed by a federal grant

FISCAL ORDINANCE NO. 10, 1995 - an appropriation from the County General Fund in the amount of \$12,050 for the Cooperative Extension Service to cover lease and contractual services obligations financed by unappropriated revenues in the County General Fund

FISCAL ORDINANCE NO. 11, 1995 - an appropriation from the Redevelopment General Fund in the amount of \$150,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to implement the Facade Improvement Program which promotes the revitalization of the City's redeveloped commercial areas by providing financial incentives to participants financed by revenues from the Redevelopment General Fund

FISCAL ORDINANCE NO. 12, 1995 - an appropriation from the Metropolitan Development General Fund in the amount of \$225,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to implement document imaging for the Metropolitan Development Commission's resolutions, building permit documents, and variance and rezoning documents financed by revenues from the Metropolitan Development General Fund

FISCAL ORDINANCE NO. 13, 1995 - an appropriation from the Park General/Golf Fund in the amount of \$300,000 for the Department of Parks and Recreation, Golf Division, for the construction of a driving range and a maintenance building at Douglass Golf Course financed by the unappropriated and unencumbered fund balance

FISCAL ORDINANCE NO. 14, 1995 - an appropriation from the Drug Free Community Fund in the amount of \$27,174 for the Marion County Justice Agency to support the Indianapolis Challenge project, which is a coordinated approach to issues and problems concerning substance abuse and related violence in the County financed by revenues from that fund

FISCAL ORDINANCE NO. 15, 1995 - an appropriation from the Drug Free Community Fund in the amount of \$487,893 for the Marion County Justice Agency to provide various criminal justice treatment and education programs financed by revenues from that fund

FISCAL ORDINANCE NO. 16, 1995 - an appropriation from the City Cumulative Capital Development Fund in the amount of \$64,213 for the Department of Public Safety, Police Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994

FISCAL ORDINANCE NO. 17, 1995 - an appropriation from the City Cumulative Capital Development Fund in the amount of \$1,445,466 for the Department of Public Safety, Fire Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994

FISCAL ORDINANCE NO. 18, 1995 - an appropriation from the Arterial Roads and Streets Fund in the amount of \$1,300,000 for the Department of Capital Asset Management, Asset Management Division, to provide funding for curb, sidewalk and resurfacing projects in neighborhoods financed by revenues from that fund

FISCAL ORDINANCE NO. 19, 1995 - an appropriation from the Parking Meter Fund in the amount of \$1,250,000 for the Department of Capital Asset Management, Asset Management Division, to supplement the City's investment in infrastructure in parking meter areas financed by revenues from that fund

FISCAL ORDINANCE NO. 20, 1995 - an appropriation from the City Cumulative Capital Improvement Fund in the amount of \$800,000 for the Department of Capital Asset Management, Asset Management Division, to provide funding for curb, sidewalk, and resurfacing projects financed by revenues from that fund

FISCAL ORDINANCE NO. 21, 1995 - an appropriation from the Sanitation General Fund in the amount of \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to fund unanticipated capital improvements greater than \$25,000 financed by revenues from that fund

FISCAL ORDINANCE NO. 22, 1995 - an appropriation from the Transportation General Fund in the amount of \$10,074,307 for the Department of Capital Asset Management, Asset Management Division, to provide funding for (1) additional resurfacing, curb and sidewalk repairs in neighborhoods; (2) service agreement for Washington Street; and (3) design work on I-70 and Six Points Road

FISCAL ORDINANCE NO. 23, 1995 - an appropriation from the Advanced Wastewater Treatment Facilities Reserve Fund in the amount of \$10,795,000 for the Department of Capital Asset Management, Finance and Administration Division, to make capital expenditures for the City's advanced wastewater treatment plant financed by revenues from that fund

FISCAL ORDINANCE NO. 24, 1995 - an appropriation from the State and Federal Grants Fund in the amount of \$45,000 for the Superior Court, Juvenile Division/Detention Center, to provide for an attorney for Child Advocates, Inc. financed by a state grant

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1995 - an appropriation from the Police Service District Fund in the amount of \$621,992 for the Department of Public Safety, Police Division, to establish a Weed and Seed National Demonstration Program financed by a U.S. Department of Justice grant

SPECIAL RESOLUTION NO. 20, 1995 - recognizing Sgt. Gerald L. Young

SPECIAL RESOLUTION NO. 21, 1995 - concerning the Marion County Healthcare Center

SPECIAL RESOLUTION NO. 22, 1995 - amending S.R. 43, 1993, as amended, by extending the expiration date for Brulin & Company, Inc. through September 30, 1995 (2920 Dr. Andrew J. Brown Avenue, District 22)

SPECIAL RESOLUTION NO. 23, 1995 - an inducement resolution for El-Beulah Retirement Village, Inc. in an amount not to exceed \$4,500,000 for the acquisition, construction, installation and equipping of 68 unit multi-family residential rental facility for the elderly consisting of 34 one-story buildings containing two living units each to be located at 7606 East 82nd Street, on approximately 12.4 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 4)

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of March 20, 1995. There being no additions or corrections, the minutes were approved as distributed.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 228, 1995. The President stated negotiations were continuing on this matter and the public hearing could be postponed until April 24, 1995. Zeff Weiss, Ice Miller Donadio & Ryan, and C. Duane O'Neal, Lewis & Kappes, both stated that negotiations were ongoing, and they were hopeful that the matter would be resolved by April 24, 1995. Councillor West asked if there is a written agreement to postpone this action. Mr. O'Neal stated that he formally notified Robert Elrod, General Counsel. Councillor West moved, seconded by Councillor Williams, to postpone. Proposal No. 228, 1995 was postponed by consent.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 247, 1995. This proposal, sponsored by Councillors Hinkle, Brents, Giffin, Golc, and Shambaugh, recognizes the state high school basketball champion Ben Davis High School Giants. Councillor Hinkle read the resolution and presented copies of the document and Council pins to the team members and the coaching staff. Councillor Hinkle moved, seconded by Councillor Giffin, for adoption. Proposal No. 247, 1995 was adopted by unanimous voice vote.

Councillor Giffin and Mayor Stephen Goldsmith expressed praise for the team. Steve Witty, Head Coach, expressed appreciation for the recognition.

Proposal No. 247, 1995 was retitled SPECIAL RESOLUTION NO. 24, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 1995

A SPECIAL RESOLUTION recognizing the state high school basketball champion Ben Davis High School Giants.

WHEREAS, the third trip in three years to the Final Four Indiana High School Athletic Association's boys basketball tournament was charmed for the Ben Davis High School Giants; and

WHEREAS, in an exciting game, the number one ranked Ben Davis defeated the number two rated Merrillville team 58-57 for the state basketball championship title; and

WHEREAS, all of the 385 teams who entered the tourney knew that only one would be celebrating as the newly-crowned State Champions on Saturday night, March 25, 1995; and

WHEREAS, contributing elements to the winning Ben Davis team include outstanding athletes, loyal fans, a supportive school, hard work, the will to win, supportive parents, teamwork, sacrifices and Coach Steve Witty and his staff; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates the Ben Davis High School Giants for their outstanding 32-1 season and their first-ever boys basketball state championship team.

SECTION 2. The Council specifically recognizes team members Derin Graham, Chet Washington, Matthew Clark, Antoine Carpenter, Damon Frierson, Tim Hall, Keith Patterson, Ahmed Bellamy, Jeff Poisel, Yon Price, James Patterson, Terry Ingram and Courtney James; as well as Coach Steve Witty, Assistant Coaches Terry Strahm, Doug Opel, Dave Patz, and Volunteer Coaches Jim Peacock, Eric Rauck and Kendall Scott Price.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 248, 1995. This proposal, sponsored by Councillor Brents, recognizes Mary Brown Bullock. Councillor Brents read the resolution and presented a copy of the document to Mary Brown Bullock, who expressed appreciation for the recognition. Also present were Geneva Witt Porter, Ira Hogan, and Linda Ellis. Councillor Brents moved, seconded by Councillor West, for adoption. Proposal No. 248, 1995 was adopted by unanimous voice vote.

Proposal No. 248, 1995 was retitled SPECIAL RESOLUTION NO. 25, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 1995

A SPECIAL RESOLUTION recognizing Mary Brown Bullock.

WHEREAS, in 1991, Mary Brown Bullock, while working at the Indiana University School of Nursing's Assist-A-Friend Program for Marion County Health and Hospital Corporation, had a vision about giving community leaders a 13-week training for Neighbor helping Neighbor as Advocates on Emergency Aid and Advice on where to go for help, and hold these classes in communities of the North, East, South and West parts of Indianapolis; and

WHEREAS, Ms. Bullock solicited volunteers from the Marion County Health Department, medical doctors, nurses, dentists, the Red Cross, Little Red Door, Marion County Welfare Department, firefighters and over a hundred different agencies with expertise in AIDS, safe sex, stress management, substance abuse, anatomy, preparing nutritious foods, cancer, parenting, first aid and CPR; and

WHEREAS, the name CHAP was chosen for the program -- meaning Community Health Advocacy Program; and

WHEREAS, Classes were held at Blackburn Health Center, Greenleaf Multi-Service Center, Citizens Multi-Service Center, Christamore House, Martin Luther King Multi-Service Center, Helping Hands Outreach Center, Edna Martin Community Center and at the Meadows Community Center; and

WHEREAS, the participants range from age 18 to 88, male and female; and out of nine classes, there have been 126 graduates; and

WHEREAS, each graduation class was held with ceremonies including a speaker and refreshments, and each graduate received a Certificate from Governor Evan Bayh and Mayor Stephen Goldsmith; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates Mary Brown Bullock for her dedication to pursuing a successful vision.

SECTION 2. The Council also congratulates all 126 graduates of CHAP, and wishes them well as they apply their skills to help people throughout the neighborhoods.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 249, 1995. This proposal, sponsored by Councillor Williams, commends the Riley Area's efforts to retain a city police substation. Councillor Williams read the resolution and presented a copy of the document to Leah Orr, who expressed appreciation for the recognition. Councillor Williams moved, seconded by Councillor Short, for adoption. Proposal No. 249, 1995 was adopted by unanimous voice vote.

Proposal No. 249, 1995 was retitled SPECIAL RESOLUTION NO. 26, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 26, 1995

A SPECIAL RESOLUTION commending the St. Joseph Neighborhood and the Riley Area Revitalization Program's work to retain a city police substation.

April 10, 1995

WHEREAS, the Riley Area Revitalization Program, Inc., residents of the St. Joseph Neighborhood Association, and Riley Area businesses have just elevated community policing to a new high level; and

WHEREAS, when a lease expired and the Indianapolis Police Department made plans to move its substation to the City-County Building, the Riley Area community immediately responded with a considerable amount of time, talent and money to clearly demonstrate that the people of the St. Joseph, Chatham-Arch and Lockerbie neighborhood place a high value on the presence of the city police; and

WHEREAS, Dan Garrity, owner of Sonitrol of Indianapolis, Inc., stepped forward and offered rent-free space for a new neighborhood police substation, interior designer Bruce Mair, neighborhood architect Pedro Caceres and numerous others of the near-downtown community pulled together to make ready a police precinct office of which the neighbors and the day-to-day police officers could be extremely proud; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and commends the generosity, energy and spirit of the citizens and businesses of the St. Joseph, Chatham Arch and Lockerbie neighborhood in the Riley Area for providing the city police department with a new substation in their area.

SECTION 2. The Council specifically recognizes Leah Orr for her exceptional inspiration, drive and dedication to pull the project together to benefit the neighborhood.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 250, 1995. This proposal, sponsored by Councillors McClamroch and Jimison, recognizes the Indiana University School of Law - Indianapolis Centennial. Councillor McClamroch read the resolution and presented a copy of the document to Professor Ron Polston and Dean Norman Lefstein, who expressed appreciation for the recognition. Councillor McClamroch moved, seconded by Councillor Jimison, for adoption. Proposal No. 250, 1995 was adopted by unanimous voice vote.

Proposal No. 250, 1995 was retitled SPECIAL RESOLUTION NO. 27, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 27, 1995

A SPECIAL RESOLUTION recognizing the Indiana University School of Law-Indianapolis Centennial.

WHEREAS, the Indiana University School of Law-Indianapolis, having undertaken its mission as the Indiana Law School in 1895, with many of the initial faculty having formerly been with the DePauw University School of Law, and, later joining with the Benjamin Harrison Law School to provide quality legal education to students from Indiana and other states; and

WHEREAS, the School of Law, for the past fifty years, has been an important part of Indiana University, a great public institution of higher learning; and

WHEREAS, the School of Law, as the largest law school in the State of Indiana, counts over 6,000 legal professionals in 49 states among its alumni; and

WHEREAS, the alumni and faculty of the School of Law include two former Vice Presidents of the United States, seven U.S. Senators, and over one hundred currently sitting judges, including two Justices of the Supreme Court of Indiana; and

WHEREAS, the School of Law is, in the 1994-1995 academic year, marking its one-hundredth year of providing excellence and equal opportunity in legal education to students from throughout the United States and the world; and

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes April 23, 1995, as Indiana University School of Law-Indianapolis Day, and that the students, faculty, staff and alumni of the Law School be congratulated for their contributions to the State of Indiana and the City of Indianapolis by providing educational programs in the law, which have been its hallmark for the one-hundred years of its existence.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The President stated that PROPOSAL NOS. 180, 212-214, 216, 217, and 222, 1995 were heard by various committees and would be considered together.

PROPOSAL NO. 180, 1995. The proposal appoints Aaron E. Haith to the Public Housing Board. PROPOSAL NO. 212, 1995. The proposal reappoints Margaret Maxwell to the Marion County Commission on Youth. PROPOSAL NO. 213, 1995. The proposal appoints Ernestine Nicholson to the Equal Opportunity Advisory Board. PROPOSAL NO. 214, 1995. The proposal appoints Joseph M. Rink to the Metropolitan Board of Zoning Appeals II. PROPOSAL NO. 216, 1995. The proposal reappoints Sara Mitten Snyder to the Indianapolis City-Market Corporation Board. PROPOSAL NO. 217, 1995. The proposal appoints Chester Carpenter to the Public Housing Board. PROPOSAL NO. 222, 1995. The proposal appoints Felicia Triggs to the Urban Enterprise Association. By unanimous votes, Proposal Nos. 180, 212-214, 216, 217, and 222, 1995 were reported to the Council with the recommendation that they do pass. Councillor McClamroch moved, seconded by Councillor Boyd, for adoption. This motion carried by a unanimous voice vote.

Proposal No. 180, 1995 was retitled COUNCIL RESOLUTION NO. 39, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 39, 1995

A COUNCIL RESOLUTION appointing Aaron E. Haith to the Public Housing Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Public Housing Board, the Council appoints:

Aaron E. Haith

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 212, 1995 was retitled COUNCIL RESOLUTION NO. 40, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 40, 1995

A COUNCIL RESOLUTION reappointing Margaret Maxwell to the Marion County Commission on Youth.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

April 10, 1995

SECTION 1. As a member of the Marion County Commission on Youth, the Council appoints:

Margaret Maxwell

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 213, 1995 was retitled COUNCIL RESOLUTION NO. 41, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 41, 1995

A COUNCIL RESOLUTION appointing Ernestine Nicholson to the Equal Opportunity Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Equal Opportunity Advisory Board, the Council appoints:

Ernestine Nicholson

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 214, 1995 was retitled COUNCIL RESOLUTION NO. 42, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 42, 1995

A COUNCIL RESOLUTION appointing Joseph M. Rink to the Metropolitan Board of Zoning Appeals II.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals II, the Council appoints:

Joseph M. Rink

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 216, 1995 was retitled COUNCIL RESOLUTION NO. 43, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 43, 1995

A COUNCIL RESOLUTION reappointing Sara Mitten Snyder to the Indianapolis City-Market Corporation Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis City-Market Corporation Board, the Council appoints:

Sara Mitten Snyder

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 217, 1995 was retitled COUNCIL RESOLUTION NO. 44, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 44, 1995

A COUNCIL RESOLUTION appointing Chester Carpenter to the Public Housing Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Public Housing Board, the Council appoints:

Chester Carpenter

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 222, 1995 was retitled COUNCIL RESOLUTION NO. 45, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 45, 1995

A COUNCIL RESOLUTION appointing Felicia Triggs to the Urban Enterprise Association.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Urban Enterprise Association, the Council appoints:

Felicia Triggs

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1998. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 229, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Comprehensive Zoning Maps of Marion County by updating base maps numbers 2, 14, 28, 47, 50, and 51"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 230, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION affirming the City's Intent to comply with the minimum standards of the National Flood Insurance Program"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 231, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing building permit requirements requested by the Federal Emergency Management Administration relative to Floodway areas;

and changes terms from one year to two years for (1) listing of general contractors; (2) licensure of craft contractors; and (3) registration of plumbers"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 232, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE prohibiting the use of benefit leave time by County employees prior to its accrual"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 233, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION requesting hearings on Maxicare"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 234, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$59,168 to pay outstanding invoices and cover the shortfall in personal services for the Marion County Healthcare Center financed by transferring other appropriations"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 235, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$46,154 for the Superior Court, Juvenile Division/Detention Center, to employ a person currently under contract to the City financed from the County General Fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 236, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$8,123 to pay overtime per Fair Labor Standards Act's guidelines for the Superior Court, Criminal Division, Rooms 1, 2, 4, and 6, and Civil Division, Rooms 1 and 2, financed from the County General Fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 237, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the Department of Capital Asset Management to lease its Civil Engineering Lab and certain equipment to Snell Environmental Group, Inc."; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 238, 1995. WITHDRAWN.

PROPOSAL NO. 239, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing traffic signals at Senate Boulevard and the entrance to Methodist Hospital (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 240, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing stop signs at Oriental Street and 11th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 241, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a multi-way stop at Arsenal Avenue and 12th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 242, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a multi-way stop at Briarwood Drive and Sylvan Ridge Drive (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 243, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing the intersection controls at 51st Street and Knollton Road (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 244, 1995. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing the intersection controls at Park Avenue and 44th Street (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 245, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE reducing the speed limit on 86th Street from Lafayette Road to I-465 (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 246, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE increasing the speed limit on 46th Street from Raceway Road to McCurdy Road (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 251, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE revising building permit exemptions as to certain construction activities in floodways"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 252, 1995. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION requesting the Metropolitan Development Commission to initiate and adopt amendments to the Zoning Ordinance for Marion County to fix limits upon certain enforcement actions"; and the President referred it to the Metropolitan Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 253-256, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 6, 1995."

Councillor Dowden read the following motion:

April 10, 1995

Mr. President:

I move that Proposal No. 254, 1995 (Rezoning Case 94-Z-201) be scheduled for a hearing before this Council at its next regular meeting on April 24, 1995 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

Consent was given to schedule this proposal for a public hearing on April 24, 1995. Proposal No. 254, 1995 is identified as follows:

94-Z-201 WASHINGTON TOWNSHIP COUNCILMANIC DISTRICT #4.
4057 EAST 56TH STREET (approximate address), INDIANAPOLIS.
SALEASE CORPORATION requests the rezoning of 3.67 acres, being in the D-3 District, to the D-5 classification to provide for eight two-family units.

The Council did not schedule Proposal Nos. 253, 255, and 256, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 253, 255, and 256, 1995 were retitled REZONING ORDINANCE NOS. 45, 46, and 47, 1995 and are identified as follows:

REZONING ORDINANCE NO. 45, 1995. 95-Z-9 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT #25.
375 EAST BANTA ROAD (approximate address), INDIANAPOLIS.
RESIDENTIAL CARE II, LLC, by David A. Retherford, requests the rezoning of 9.37 acres, being in the D-A and D-6 Districts, to the D-P classification to provide for construction of a senior citizen retirement housing development consisting of a combination of one-story fourplex and duplex condominium units, with an assisted living center.

REZONING ORDINANCE NO. 46, 1995. 95-Z-13 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT #17.
5051 WEST BRADBURY AVENUE (approximate address), INDIANAPOLIS.
C.M. LAND MANAGEMENT, by Mitch Sever, requests the rezoning of 0.20 acres, being in the D-4 District, to the C-5 classification to provide for a parking lot.

REZONING ORDINANCE NO. 47, 1995. 95-Z-14 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT #04.
8788 HAGUE ROAD (approximate address), INDIANAPOLIS.
UNIVERSAL TOOL & ENGINEERING, INC., by David R. Warshauer, requests the rezoning of 11.9062 acres, being in the C-1 District, to the I-1-S classification to provide for engineering and research laboratories and offices.

PROPOSAL NO. 257, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on April 6, 1995." The Council did not schedule Proposal No. 257, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 257, 1995 was retitled REZONING ORDINANCE NO. 48, 1995 and is identified as follows:

REZONING ORDINANCE NO. 48, 1995. 95-Z-17 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT #14.
9550 EAST 42ND STREET (approximate address), INDIANAPOLIS.
MT. CARMEL BAPTIST CHURCH, by Ronald A. Wright, requests the rezoning of 15.813 acres, being in the D6II (FF) District, to the SU-1 (FF) classification to provide for the construction of a church.

PROPOSAL NOS. 258-263, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 6, 1995." The Council did not schedule Proposal Nos. 258-263, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 258-263, 1995 were retitled REZONING ORDINANCE NOS. 49-54, 1995 and are identified as follows:

REZONING ORDINANCE NO. 49, 1995. 95-Z-213 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT #05.

6285 OAKLANDON ROAD (approximate address), CITY OF LAWRENCE.
OAKLANDON ASSOCIATES, INCORPORATED, by Gordon L. Harper, requests the rezoning of 1.0 acres, being in the D-A District, to the C-5 classification to provide for expansion of an existing business adjacent to the site.

REZONING ORDINANCE NO. 50, 1995. 95-Z-10 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT #21.

1841-1851 ZWINGLEY STREET (approximate address), INDIANAPOLIS.
NEW CROWN CEMETERY, by Christopher D. Long, requests the rezoning of 0.25 acres, being in the D-5 District, to the SU-10 classification to provide for the expansion of an existing cemetery.

REZONING ORDINANCE NO. 51, 1995. 95-Z-15 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT #04.

6202 NORTH SHADELAND AVENUE (approximate address), INDIANAPOLIS.
WESTEL-INDIANAPOLIS COMPANY d/b/a CELLULAR ONE, by James A.L. Buddenbaum, requests the rezoning of 0.19 acres, being in the C-1 District, to the SU-35 classification to provide for cellular mobile communication public utility service, including construction of a 360 square feet equipment building and a 120 foot monopole.

REZONING ORDINANCE NO. 52, 1995. 95-Z-21 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT #05.

10509 PENDLETON PIKE (approximate address), CITY OF LAWRENCE.
KARL M. and JACQUELINE J. THEYSSEN, by Cameron F. Clark, request the rezoning of 1.23 acres, being in the D-A District, to the C-4 classification to provide for retail commercial development.

REZONING ORDINANCE NO. 53, 1995. 95-Z-22 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT #05.

10581 PENDLETON PIKE (approximate address), CITY OF LAWRENCE.
RAY D. CUMMINS, by Cameron F. Clark, requests the rezoning of 1.23 acres, being in the D-A District, to the C-4 classification to provide for retail commercial development.

REZONING ORDINANCE NO. 54, 1995. 95-Z-34 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT #11.

3950 MEADOWS DRIVE (approximate address), INDIANAPOLIS.
DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 0.996 acres, being in the C-4 District, to the SU-9 classification to provide for construction of a police substation.

Councillor Beadling asked for consent to hear Proposal No. 190, 1995 next, due to the fact that many audience members were present to hear this proposal. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 190, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 190, 1995 on March 28, 1995. The proposal, sponsored by Councillor Beadling, adopts a new Wellfield Protection Zoning Ordinance for Marion County, further restricting land uses to protect the ground water/aquifer resources of specifically delineated areas of Marion County. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor West stated that he has submitted an amendment for this proposal to Mr. Elrod which would allow a hearing examiner to be inserted in place of the Board of Zoning Appeals.

The President stated that the Health & Hospital Corporation ("H&H") was willing to extend the moratorium on this issue for an additional three days, which would allow the Committee

April 10, 1995

to fully examine the amendment. The President then suggested returning this proposal to Committee for further review.

Councillor Beadling moved, seconded by Councillor West, to return this proposal to Committee.

[Clerk's Note: The President passed the gavel to Vice-President McClamroch.]

Councillor SerVaas stated that he suggested that a hearing officer be involved in this issue in order to examine the technical, scientific, and regulatory aspects of this issue. He then stated that he feels the Committee needs more time to examine the issue.

Councillor Williams stated that this is a very complicated issue and perhaps H&H could extend the moratorium for more than three days. She also stated that this proposal was not rushed through Committee; the matter was studied and there were many questions asked.

[Clerk's Note: Vice-President McClamroch returned the gavel to President SerVaas.]

Councillor Beadling stated that she feels this matter needs to be resolved by the next Council meeting in order to be fair to the businesses that will be affected by this ordinance.

Councillor Borst stated a three-day extension of the moratorium would be fair, but any further extensions would be unfair to the business community. Councillor Rhodes concurred with Councillor Borst.

Proposal No. 190, 1995 was returned to committee by a unanimous voice vote.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 69, 1995. The proposal transfers \$310,000 from the County General Fund to the Supplemental Public Defender Fund to make up the 1994 revenue shortfall in the Supplemental Public Defender Fund. Councillor Dowden moved, seconded by Councillor Schneider, to postpone this proposal until May 8, 1995. Proposal No. 69, 1995 was postponed until May 8, 1995 by consent.

PROPOSAL NO. 111, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 111, 1995 on March 28, 1995. The proposal appropriates \$168,000 for the Department of Metropolitan Development, Planning Division, to increase its current contracts with Indianapolis Project, Inc. and Greater Indianapolis Progress Committee and to provide funding for the Small Business Incubator Program financed from the Metropolitan Development General Fund and by additional tax abatement filing fees. By a 4-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:42 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Williams, for adoption. Proposal No. 111, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

2 NOT VOTING: Giffin, Moriarty Adams

Proposal No. 111, 1995 was retitled FISCAL ORDINANCE NO. 25, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 25, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Sixty-eight Thousand Dollars (\$168,000) in the Metropolitan Development General Fund for purposes of the Department of Metropolitan Development, Planning Division, and reducing the unappropriated and unencumbered balance in the Metropolitan Development General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Planning Division, to increase the current contracts with Indianapolis Project, Inc. and Greater Indianapolis Progress Committee and to provide funding to the Small Business Incubator Program. The Metropolitan Development General Fund anticipates receiving an additional \$86,000 of tax abatement filing fees.

SECTION 2. The sum of One Hundred Sixty-eight Thousand Dollars (\$168,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF METROPOLITAN DEVELOPMENT

PLANNING DIVISION

METROPOLITAN DEVELOPMENT GENERAL FUND

3. Other Services and Charges	<u>168,000</u>
TOTAL INCREASE	168,000

SECTION 4. The said additional appropriation is funded by the following reductions:

METROPOLITAN DEVELOPMENT GENERAL FUND

Unappropriated and Unencumbered	
Metropolitan Development General Fund	<u>168,000</u>
TOTAL REDUCTION	168,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 115, 1995. The proposal, sponsored by Councillor Franklin, appropriates \$21,175 for the Superior Court, Criminal Division, Room Five, to fund a clerk's salary financed from the County General Fund. Councillor Dowden moved, seconded by Councillor Franklin, to postpone this proposal until May 8, 1995. Proposal No. 115, 1995 was postponed until May 8, 1995 by consent.

PROPOSAL NO. 131, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 131, 1995 on March 8, 1995. The proposal appropriates \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to supplement investment in Combined Sewer Overflow projects throughout the City financed

April 10, 1995

from balances in the Sanitary District General Improvement Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:46 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Beadling, for adoption. Proposal No. 131, 1995 was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

Proposal No. 131, 1995 was retitled FISCAL ORDINANCE NO. 26, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 26, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Million Dollars (\$1,000,000) in the Sanitary District General Improvement Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Sanitary District General Improvement Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management, Asset Management Division to supplement investment in Combined Sewer Overflow projects throughout the City.

SECTION 2. The sum of One Million Dollars (\$1,000,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u> <u>ASSET MANAGEMENT DIVISION</u>	<u>SANITARY DISTRICT GENERAL</u> <u>IMPROVEMENT FUND</u>
4. Capital Outlay	<u>1,000,000</u>
TOTAL INCREASE	1,000,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>SANITARY DISTRICT GENERAL</u> <u>IMPROVEMENT FUND</u>
Unappropriated and Unencumbered Sanitary District General Improvement Fund	<u>1,000,000</u>
TOTAL REDUCTION	1,000,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 164, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 164, 1995 on March 1, 1995. The proposal appropriates \$1,081,857 for the County Sheriff to pay for expenses at Riverside Community Corrections facility, prisoner food and medical care, FOP contract and fringe benefits financed by additional revenue of \$315,000 generated from wrecker fees, special deputy fees and machine permit fees and the balance from the County General Fund balances. By an 8-0

vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:48 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 164, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

2 NOT VOTING: Black, Giffin

Proposal No. 164, 1995 was retitled FISCAL ORDINANCE NO. 27, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 27, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Million Eighty-one Thousand Eight Hundred Fifty-seven Dollars (\$1,081,857) in the County General Fund for the County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) and (z) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to pay expenses for Riverside Community Corrections facility, prisoner food and medical care, FOP contract and fringe benefits.

SECTION 2. The sum of One Million Eighty-one Thousand Eight Hundred Fifty-seven Dollars (\$1,081,857) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	273,681
3. Other Services and Charges	757,239
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	50,937
TOTAL INCREASE	1,081,857

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	1,081,857
TOTAL REDUCTION	1,081,857

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 165, 1995. The proposal appropriates \$145,697 for the Superior Court, Juvenile Division/Detention Center, to fund the balance due for the Court/Center computer and to pay various maintenance agreements financed from the County General Fund balances.

April 10, 1995

Councillor Dowden moved, seconded by Councillor Jimison, to postpone this proposal until April 24, 1995. Proposal No. 165, 1995 was postponed until April 24, 1995 by consent.

PROPOSAL NO. 167, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 167, 1995 on March 1, 1995. The proposal appropriates \$70,500 for the County Auditor to cover the cost associated with the preparation of the Marion County Hazardous Materials Response Plan and the cost of providing community right to know information for Marion County financed by revenues from the Local Emergency Planning and Right to Know Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:50 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor O'Dell, for adoption. Proposal No. 167, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

3 NOT VOTING: Black, Giffin, Rhodes

Proposal No. 167, 1995 was retitled FISCAL ORDINANCE NO. 28, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 28, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Seventy Thousand Five Hundred Dollars (\$70,500) in the Local Emergency Planning and Right to Know Fund for the purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the Local Emergency Planning and Right to Know Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purpose of the County Auditor to cover cost associated with the preparation of the Marion County hazardous materials response plan and cost of providing community right to know information for Marion County.

SECTION 2. The sum of Seventy Thousand Five Hundred Dollars (\$70,500) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>LOCAL EMERGENCY PLANNING</u>
3. Other Services and Charges	<u>AND RIGHT TO KNOW FUND</u>
TOTAL INCREASE	<u>70,500</u>
	70,500

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>LOCAL EMERGENCY PLANNING</u>
	<u>AND RIGHT TO KNOW FUND</u>
Unappropriated and Unencumbered	
Local Emergency Planning and Right to Know Fund	<u>70,500</u>
TOTAL REDUCTION	70,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 196, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 196, 1995 on March 21, 1995. The proposal appropriates \$42,924 for the Marion County Justice Agency to cover the cost of continuing participation in the Drug Use Forecasting Program financed by grant revenues of the State and Federal Grants Fund. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:52 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 196, 1995 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*

1 NAY: *Smith*

3 NOT VOTING: *Black, Giffin, Gray*

Proposal No. 196, 1995 was retitled FISCAL ORDINANCE NO. 29, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 29, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Forty-two Thousand Nine Hundred Twenty-four Dollars (\$42,924) in the State and Federal Grants Fund for the purpose of the Marion County Justice Agency and the County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(dd) and (b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Marion County Justice Agency and the County Auditor to pay the expenses connected with participation in the Drug Use Forecasting Program.

SECTION 2. The sum of Forty-two Thousand Nine Hundred Twenty-four Dollars (\$42,924) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	35,796
2. Supplies	1,000
3. Other Services and Charges	400
 <u>COUNTY AUDITOR</u>	
1. Personal Services - Fringes	<u>5,728</u>
TOTAL INCREASE	42,924

SECTION 4. The said additional appropriation is funded by the following reductions:

April 10, 1995

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered
State and Federal Grants
TOTAL REDUCTION

42,924
42,924

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 114, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 114, 1995 on February 22, 1995. The proposal appropriates \$51,742 for the Superior Court, Juvenile Division/Detention Center, to fund a Magistrate position at the court financed by revenues received from the Marion County Office of Family and Children. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor O'Dell stated that hiring an employee prior to acquiring funding for that employee is not permitted. The passage of this proposal would send the wrong message to other County agencies.

The President called for public testimony at 8:57 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Golc, for adoption. Proposal No. 114, 1995 was adopted on the following roll call vote; viz:

20 YEAS: Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Schneider, SerVaas, Shambaugh, Short, West, Williams

6 NAYS: Black, Borst, O'Dell, Rhodes, Ruhmkorff, Smith

3 NOT VOTING: Beadling, Dowden, Giffin

Proposal No. 114, 1995 was retitled FISCAL ORDINANCE NO. 30, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 30, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Fifty-one Thousand, Seven Hundred Forty-two Dollars (\$51,742) in the County General Fund for purposes of the Superior Court, Juvenile Division/Detention Center and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) and (kk) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of funding a position of Magistrate at the Superior Court, Juvenile Division/Detention Center.

SECTION 2. The sum of Fifty-one Thousand Seven Hundred Forty-two Dollars (\$51,742) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER

1. Personal Services

COUNTY GENERAL FUND

41,393

COUNTY AUDITOR

1. Personal Services - Fringes

10,349

TOTAL INCREASE

51,742

SECTION 4. The said additional appropriation is funded by the following reductions:

COUNTY GENERAL FUND

Unappropriated and Unencumbered

County General Fund

51,742

TOTAL REDUCTION

51,742

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 590, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 590, 1994 on March 28, 1995. The proposal, sponsored by Councillors Rhodes and McClamroch requests the Metropolitan Development Commission to initiate and adopt amendments to the Dwelling District Zoning Ordinance to prohibit residential group homes for the mentally ill from locating within 3000 feet of another such facility. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor West moved, seconded by Councillor Rhodes, for adoption. Proposal No. 590, 1994, as amended, was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Dowden, Giffin*

Proposal No. 590, 1994, as amended, was retitled GENERAL ORDINANCE NO. 44, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 44, 1995

A GENERAL ORDINANCE requesting the Metropolitan Development Commission to initiate and adopt amendments to the Dwelling District Zoning Ordinance to prohibit residential group homes for the mentally ill from being located within 3000 feet of each other.

WHEREAS, IC 12-28-4-7 authorizes zoning restrictions to prohibit residential group homes for the mentally ill from being located within 3000 feet of each other; and

WHEREAS, the Council recommends that such restrictions be adopted for Marion County; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council requests the director of the Department of Metropolitan Development and the Metropolitan Development Commission to initiate and adopt amendments to the Dwelling District Zoning Ordinance to prohibit residential group homes for the mentally ill from being located within 3000 feet, as measured between lot lines, from another such facility.

April 10, 1995

SECTION 2. The chairman of the Metropolitan Development Commission is requested to report the status of this request to the chairman of Metropolitan Development Committee of this Council on or before June 30, 1995.

PROPOSAL NO. 168, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 168, 1995 on April 6, 1995. The proposal amends Sec. 13-1 of the Code by making technical amendments regarding solid waste collection. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Hinkle, for adoption. Proposal No. 168, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

2 NOT VOTING: *Giffin, Williams*

Proposal No. 168, 1995 was retitled GENERAL ORDINANCE NO. 45, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 45, 1995

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County, Indiana to make technical amendments regarding solid waste collection.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 13-1 of the Code is hereby amended by inserting the underlined text and deleting the stricken-through text to read as follows:

Sec. 13-1. Definitions.

The following definitions shall apply in this chapter, unless otherwise indicated clearly by text:

- (1) *Containerized collection* means all mechanized collection of solid waste from dumpsters by front loading, rear loading and roll-off vehicles.
- (2) *Dumpster* means a receptacle used to contain solid waste and designed for mechanical pick up and provided by a hauler for use by the customer.
- (3) *Garbage* means all putrescible animal solid, vegetable solid and semi-solid wastes resulting from the processing, handling, preparation, cooking, serving or consumption of food or food materials, excluding human excreta.
- (4) *Incinerator* means any apparatus to burn waste substances in which all the factors of combustion-temperature, retention time, turbulence and combustion air-can be controlled.
- (5) *Landfill* means a sanitary landfill.
- (6) *Multi-Family Residence* means a structure containing five or more residential units, and does not include condominiums.
- (7) *Noncommercial vehicle* means a vehicle used for the purpose of transporting solid waste including, but not limited to, pick-up trucks, cars, vans, dump trucks, and U-hauls and shall not mean rear loaders, front loaders, roll-off trucks, roll-off containers or sideloaders.

- (8) *Processing* means the method, system or other treatment of solid wastes so as to change their chemical or physical form or affect it for disposal or recovery of material, but excluding vehicles for transportation or landfills.
- (9) *Recycling station* means a facility for the processing or storage of separated solid wastes prior to transportation to markets.
- (10) *Refuse* means all putrescible and nonputrescible solid and semi-solid wastes, except human excreta, but including ashes, street cleanings, offal and solid commercial, industrial and institutional wastes.
- (11) *Residential solid waste* means all refuse, garbage and rubbish generated by persons in noncommercial settings, and may include food wastes, paper, cardboard, bottles, metal cans, plastics, cloth, wood, tarp, Christmas trees, accumulations of leaves, grass or shrubbery cuttings and other refuse attending the care of lawns, shrubbery, vines, trees, and tree limbs. Residential solid waste shall not include discarded building materials, trees, brush and other vegetation resulting from the activities of building contractors, commercial tree trimmers or commercial lawn services, larger quantities of sod, dirt and trash from land clearing and other materials requiring special handling.
- (12) *Resource Recovery* means the buildings and equipment located at 2320 South Harding Street, Indianapolis, Indiana.
- (13) *Rubbish* means all nonputrescible solid wastes, such as cardboard, paper, plastic, metal or glass food containers, rags, waste metal, yard clippings, small pieces of wood, excelsior, rubbish, leather, crockery, and other waste materials that ordinarily accumulate around a home, business or industry.
- (14) *Salvaging* means the controlled removal of materials from solid wastes for utilization.
- (15) *Sanitary landfill* means an engineering method of disposing of refuse on land in a manner that protects the public health and environment by spreading the waste in thin layers, compacting it to the smallest practical volume, and covering it with compacted soil at the end of each working day.
- (16) *Single Family Residence* means a condominium ~~and~~ or a structure containing four or less residential units, unless it is a component of multiple structures that together constitute an apartment complex ~~operating under the same ownership~~.
- (17) *Solid waste* means all rubbish, garbage and refuse.

SECTION 2. The expressed or implied repeal or amendment by this ordinance or any other ordinance or any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if such remaining provisions can be given the effect intended by the council in adopting this ordinance. To this end, the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 183, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 183, 1995 on March 16, 1995. The proposal authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$13,000,000 for the Jewish Federation of Greater Indianapolis, Inc. (6701 Hoover Road, District 2). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor

April 10, 1995

Coughenour, for adoption. Proposal No. 183, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

3 NOT VOTING: *Giffin, Schneider, Williams*

Proposal No. 183, 1995 was retitled SPECIAL ORDINANCE NO. 6, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 6, 1995

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its City of Indianapolis, Indiana Variable Rate Economic Development Revenue Bonds, Series 1995 (Jewish Community Campus Project) in the aggregate principal amount not to exceed Thirteen Million Dollars (\$13,000,000) (the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, a representative of Jewish Federation of Greater Indianapolis, Inc, an Indiana not-for-profit corporation (the "Jewish Federation") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Jewish Federation in order to enable the Jewish Federation to undertake and complete the renovation of the Jewish Federation's existing facilities containing approximately 56,995 square feet and the construction of an approximately 84,449 square foot addition thereto located at 6701 Hoover Road, Indianapolis, Marion County, Indiana to create additional classrooms, storage, office facilities and new programming opportunities for early childhood education, infant/toddler care and youth programming, wellness facilities, as well as certain renovation for compliance with the Americans with Disabilities Act and with environmental laws plus office facilities for the Jewish Community Center Association of Indianapolis, Incorporated (the "JCCA") and the Jewish Federation; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project"). A substantial part of the Project will be leased to the JCCA; and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Jewish Federation and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, construction, renovation, installation and equipping of the Project by issuing its City of Indianapolis, Indiana Variable Rate Economic Development Revenue Bonds, Series 1995 (Jewish Community Campus Project), in the aggregate principal amount not to exceed Thirteen Million Dollars (\$13,000,000) (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 15, 1995 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project which will be initially owned by the Jewish Federation complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Trust Indenture (the "Indenture") dated as of April 1, 1995 by and between the Issuer and Fifth Third Bank of Central Indiana, as Trustee (the "Trustee") in order to obtain funds to lend to the Jewish Federation pursuant to a Loan Agreement (the "Loan Agreement") dated as of April 1, 1995, between the Issuer and the Jewish Federation for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Jewish Federation of the loan of the proceeds of the Bonds pursuant to which the Jewish Federation will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Loan Agreement, Indenture, Bond Purchase Agreement, Remarketing Agreement, Preliminary Official Statement, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and the proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Jewish Federation for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Jewish Federation will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed Thirteen Million Dollars (\$13,000,000) for the purpose of procuring funds to loan to the Jewish Federation in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Jewish Federation pursuant to the Loan Agreement which will be entered into to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Official Statement is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Official Statement is hereby authorized to certify to John Nuveen & Co. Incorporated (the "Underwriter") that the information in the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Official Statement.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the Underwriter at a price not less than ninety-eight percent (98.0%) of the aggregate principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest not to exceed fifteen percent (15.0%) per annum. The use of a Final Official Statement in substantially the same form as the Preliminary Official Statement approved herein is approved for use and distribution by the Underwriter and its agents in connection with the marketing of the Bonds.

April 10, 1995

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the Underwriter, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 188, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 188, 1995 on March 27, 1995. The proposal, sponsored by Councillor Curry, appropriates \$10,000 to pay overtime expenses of the County Surveyor for work performed on behalf of IMAGIS financed by reducing other appropriations for the County Surveyor. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Curry, for adoption. Proposal No. 188, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

0 NAYS:

2 NOT VOTING: Giffin, Williams

Proposal No. 188, 1995 was retitled FISCAL ORDINANCE NO. 31, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 31, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Ten Thousand Dollars (\$10,000) in the County General Fund for purposes of County Surveyor and County Auditor and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(j) and (b) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of County Surveyor and County Auditor to fund over-time personal services for additional work on behalf of IMAGIS.

SECTION 2. The sum of Ten Thousand Dollars (\$10,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

COUNTY SURVEYOR

1. Personal Services

COUNTY GENERAL FUND

8,695

COUNTY AUDITOR

1. Personal Services - fringes	<u>1,305</u>
TOTAL INCREASE	10,000

SECTION 4. The said increased appropriation is funded by the following reductions:

COUNTY SURVEYOR

3. Other Services and Charges	<u>10,000</u>
TOTAL INCREASE	10,000

COUNTY GENERAL FUND

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 195, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 195, 1995 on March 21, 1995. The proposal transfers appropriations within the Prosecuting Attorney's office to correctly catalogue the nature of expenditures of \$76,500 associated with the Traffic Safety Program financed from the State and Federal Grants Fund. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 195, 1995 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT VOTING: Giffin

Proposal No. 195, 1995 was retitled FISCAL ORDINANCE NO. 32, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 32, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Seventy-six Thousand Five Hundred Dollars (\$76,500) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(w) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to correctly identify the nature of expenses for the Traffic Safety Program.

SECTION 2. The sum of Seventy-six Thousand Five Hundred Dollars (\$76,500) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

PROSECUTING ATTORNEY

1. Personal Services	<u>58,000</u>
2. Supplies	<u>18,500</u>
TOTAL INCREASE	76,500

STATE AND FEDERAL GRANTS FUND

SECTION 4. The said increased appropriation is funded by the following reductions:

April 10, 1995

PROSECUTING ATTORNEY

3. Other Services and Charges
TOTAL DECREASE

STATE AND FEDERAL GRANTS FUND

76,500
76,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The President asked for consent to hear Proposal No. 207, 1995 at this time. Consent was given.

PROPOSAL NO. 207, 1995. The proposal changes the intersection controls at Bowline Drive and Skipjack Drive (District 5). Councillor Gilmer moved, seconded by Councillor Beadling, to strike. Proposal No. 207, 1995 was stricken by a unanimous voice vote.

PROPOSAL NO. 491, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 491, 1994 on March 29, 1995. The proposal, sponsored by Councillor Coughenour, amends the Code by authorizing a traffic signal at Madison Avenue and Preddy Drive (District 24). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Coughenour, for adoption.

Councillor Beadling said that Lowe's had stated in Committee that they would provide a monetary figure for their participation in this project. George Lynch, Executive Assistant, Department of Capital Asset Management, disagreed. He then stated that the attorneys are currently in negotiations as to Lowe's participation.

Councillor Borst stated that Lowe's did state that they would participate in funding this project. Mr. Lynch agreed and stated that no dollar amount has been discussed. Councillor Borst then urged the Council to pass this proposal.

Councillor O'Dell stated that the attorneys for Lowe's promised to provide a monetary amount by this Council meeting. He stated he will be voting against this proposal.

Councillors Coughenour and Dowden urged the Council to pass this proposal.

Proposal No. 491, 1994 was adopted on the following roll call vote; viz:

21 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Gilmer, Golc, Gray, Jimison, Jones, Moriarty Adams, Mullin, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, West, Williams

5 NAYS: Franklin, Hinkle, McClamroch, O'Dell, Smith

3 NOT VOTING: Dowden, Giffin, Schneider

Proposal No. 491, 1994 was retitled GENERAL ORDINANCE NO. 56, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
46, Pg. 6	Madison Av, Preddy Dr	Madison Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
46, Pg. 6	Madison Av, Preddy Dr	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 199-202 and 204-205, 1995. Councillor Gilmer discussed these proposals together. PROPOSAL NO. 199, 1995. The proposal authorizes stop signs for the Parc Estates North subdivision (District 18). PROPOSAL NO. 200, 1995. The proposal authorizes stop signs for Sunningdale Commons subdivision, Sections 1 and 2 (District 18). PROPOSAL NO. 201, 1995. The proposal authorizes stop signs for Hunters Green subdivision, Section 1 (District 1). PROPOSAL NO. 202, 1995. The proposal authorizes a multi-way stop at Boyd Avenue and North Avenue (District 20). PROPOSAL NO. 204, 1995. The proposal authorizes a multi-way stop at Camelback Drive and Buckskin Drive (District 4). PROPOSAL NO. 205, 1995. The proposal authorizes a multi-way stop at Butler Avenue and 13th Street (District 18). PROPOSAL NO. 206, 1995. The proposal authorizes a multi-way stop at Grace Terrace and La Habra Lane (District 5). By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal Nos. 199-202 and 204-206, 1995 were adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Mullin*

Proposal No. 199, 1995 was retitled GENERAL ORDINANCE NO. 46, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 46, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

April 10, 1995

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
BM 22, Pg. 7	Fullerton Dr & Fullerton Cir	Fullerton Dr	Stop
BM 22, Pg. 7	Fullerton Dr & Fullerton Ct	Fullerton Dr	Stop
BM 22, Pg. 7	Fullerton Dr & Gradison Dr	Fullerton Dr	Stop
BM 22, Pg. 8	Gradison Dr & Gradison Ct	Gradison Dr	Stop
BM 22, Pg. 8	Gradison Dr & Gradison Cir	Gradison Dr	Stop
BM 22, Pg. 8	Gradison Dr & Napa Cir	Gradison Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 200, 1995 was retitled GENERAL ORDINANCE NO. 47, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 47, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
BM 22, Pg. 6	Cressmoor Ct & Sunningdale Blvd	Sunningdale Blvd	Stop
BM 22, Pg. 6	Cressmoor Cir & Sunningdale Blvd	Sunningdale Blvd	Stop
BM 22, Pg. 6	Douglasston Ct & Sunningdale Blvd	Sunningdale Blvd	Stop
BM 22, Pg. 6	Douglasston Ct & Manita Dr	Douglasston Ct	Stop
BM 22, Pg. 12	Sunningdale Blvd & Gradison Cir	Sunningdale Blvd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 201, 1995 was retitled GENERAL ORDINANCE NO. 48, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
BM 8, Pg. 2	Hunters Green Way & Hunters Green Ct	Hunters Green Way	Stop
BM 8, Pg. 2	Hunters Green Way & Hunters Green Cir	Hunters Green Way	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 202, 1995 was retitled GENERAL ORDINANCE NO. 49, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 49, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
BM 39, Pg. 3	Norton Av & Boyd Av	Norton Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
BM 39, Pg. 3	Norton Av & Boyd Av	None	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 204, 1995 was retitled GENERAL ORDINANCE NO. 50, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

April 10, 1995

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
BM 5, Pg. 3	Camelback Dr & Buckskin Dr	Camelback Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
BM 5, Pg. 3	Camelback Dr & Buckskin Dr	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 205, 1995 was retitled GENERAL ORDINANCE NO. 51, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 9	Butler Av & 13th St	Butler Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 9	Butler Av & 13th St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 206, 1995 was retitled GENERAL ORDINANCE NO. 52, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7, Pg. 4	Grace Ter & La Habra Ln	La Habra Ln	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7, Pg. 4	Grace Ter & La Habra Ln	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 209-211, 1995. Councillor Gilmer discussed these proposals together. PROPOSAL NO. 209, 1995. The proposal authorizes parking restrictions on the west side of Capitol Avenue from 38th Street to 21st Street (Districts 6, 9, 22). PROPOSAL NO. 210, 1995. The proposal authorizes parking restrictions on a segment of Delaware Street at Michigan Street (District 16). PROPOSAL NO. 211, 1995. The proposal authorizes parking restrictions on Michigan Street from Holmes Avenue to Miley Avenue, and on Michigan Street from Miley Avenue to White River Parkway West Drive (District 16). By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal Nos. 209-211, 1995 were adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

4 NOT VOTING: *Black, Giffin, Gray, Mullin*

Proposal No. 209, 1995 was retitled GENERAL ORDINANCE NO. 53, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-270, Parking prohibited during specified hours on certain days.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-270, Parking prohibited during specified hours on certain days, be, and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS,
SUNDAYS AND HOLIDAYS
From 6 a.m. to 9 a.m.

On the West side of Capitol Avenue,
from 38th Street to 21st Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 210, 1995 was retitled GENERAL ORDINANCE NO. 54, 1995 and reads as follows:

April 10, 1995

CITY-COUNTY GENERAL ORDINANCE NO. 54, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the addition of the following, to wit:

On the West side of Delaware Street,
from the South curblane of Michigan Street,
to a point 106 feet South of Michigan Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 211, 1995 was retitled GENERAL ORDINANCE NO. 55, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-271, Stopping, standing, or parking prohibited at designated locations on certain days and hours; and Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-271, Stopping, standing, and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS,
SUNDAYS AND HOLIDAYS
From 6 a.m. to 9 a.m.

Michigan Street, on the South side,
from Holmes Avenue to Miley Avenue

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the addition of the following, to wit:

Michigan Street, on the South side,
from Miley Avenue to White River Parkway West Drive

**SPECIAL SERVICE DISTRICT COUNCILS
SPECIAL ORDERS - PUBLIC HEARING
POLICE SPECIAL SERVICE DISTRICT**

PROPOSAL NO. 122, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 122, 1995 on March 21, 1995. The proposal is an appropriation from the Police Service District Fund in the amount of \$679,842 for the Department of Public Safety, Police Division, to hire eighteen police officers financed by a U.S. Department of Justice grant. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:31 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hinkle, for adoption. Proposal No. 122, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Mullin*

Proposal No. 122, 1995 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1995 and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1995

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1995 (Police Special Service District Fiscal Ordinance No. 2, 1994) appropriating an additional Six Hundred Seventy-nine Thousand Eight Hundred Forty-two Dollars (\$679,842) in the Police Service District Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Police Service District Fund.

BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Police Special Service District Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to hire eighteen additional police officers funded under a U.S. Department of Justice grant.

SECTION 2. The sum of Six Hundred Seventy-nine Thousand Eight Hundred Forty-two Dollars (\$679,842) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY,
POLICE DIVISION

POLICE SERVICE DISTRICT FUND

1. Personal Services	<u>679,842</u>
TOTAL INCREASE	679,842

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>POLICE SERVICE DISTRICT FUND</u>
Unappropriated and Unencumbered	
Police Service District Fund	<u>679,842</u>
TOTAL REDUCTION	679,842

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

April 10, 1995

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL

PROPOSAL NO. 110, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 110, 1995 on April 6, 1995. The proposal is an appropriation from the Solid Waste Collection Service District Fund in the amount of \$1,630,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to clean up demolished buildings under the Unsafe Building Program financed by the unappropriated and unencumbered balance in that fund. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:35 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor West, for adoption. Proposal No. 110, 1995 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

4 NOT VOTING: *Giffin, Gray, Mullin, Williams*

Proposal No. 110, 1995 was retitled SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1995 and reads as follows:

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1995

A SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Solid Waste Collection Special Service District Annual Budget for 1995 (Solid Waste Collection Special Service District Fiscal Ordinance No. 2, 1994) appropriating an additional One Million Six Hundred Thirty Thousand Dollars (\$1,630,000) in the Solid Waste Collection Service District Fund for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division and reducing the unappropriated and unencumbered balance in the Solid Waste Collection Special Service District Fund.

BE IT ORDAINED BY THE SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Solid Waste Collection Special Service District Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division to clean up demolished buildings under the Unsafe Building Program.

SECTION 2. The sum of One Million Six Hundred Thirty Thousand Dollars (\$1,630,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF METROPOLITAN DEVELOPMENT
NEIGHBORHOOD AND DEVELOPMENT SERVICES DIVISION
3. Other Services and Charges
TOTAL INCREASES

SOLID WASTE COLLECTION
SERVICE DISTRICT FUND
1,630,000
1,630,000

SECTION 4. The said additional appropriation is funded by the following reductions:

SOLID WASTE COLLECTION
SERVICE DISTRICT FUND

Unappropriated and Unencumbered
Solid Waste Collection Service District Fund
TOTAL REDUCTION

1,630,000
1,630,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

NEW BUSINESS

Councillor Beadling stated that she received a telephone call from a staff member of the Mayor's Office in Robinsville, North Carolina to notify this Council that on June 15, 1995 the State of North Carolina will rename a portion of Highway 129 the "Rodney Orr Memorial Way." This Council recognized Mr. Orr after his death last year and the North Carolina government emulated the honor.

Councillor Beadling then thanked Jack Koons, citizen, for reporting illegal sewage and the Hebrew National Company for a quick clean-up.

Robert G. Elrod, General Counsel, read the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 94-Z-201, Council Proposal No. 254, 1995, at its next regular meeting on April 24, 1995, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 3.67 acres at 4057 East 56th Street from D-3 District to the D-5 classification to provide for eight two-family units.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

ANNOUNCEMENTS AND ADJOURNMENT

The President announced that the docketed agenda for this meeting of the Council having been completed, the Chair would now entertained motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Beadling in memory of Mary E. Patterson; and
- (2) Councillor Hinkle in memory of Michael J. Hughes.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Mary E. Patterson and Michael J. Hughes. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:33 p.m.

April 10, 1995

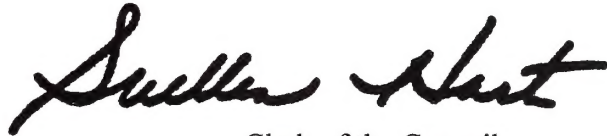
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 10th day of April, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, APRIL 24, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:05 p.m. on Monday, April 24, 1995, with Councillor SerVaas presiding.

Councillor Rhodes led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams
1 ABSENT: Giffin

A quorum of twenty-eight members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor McClamroch introduced Alice Ross, a leading community activist. He also introduced the members from Boy Scout Troop No. 180 of Trinity Episcopal Church: Tom Hammond, John Hammond, Jake Corbin, Christopher Catter Strickland, Robert Charles Strickland, III, Alex A. Little, and Carlos Bustanante; and the leaders W. Patterson Garten, Rob Strickland, and Tom Hammond.

Councillor Gray acknowledged the presence of Steve Webber and Susan Tennant, president and vice president of Crooked Creek Civic League Board of Directors. Councillor Golc recognized the Mayor of Beech Grove, Warner Wiley. Councillor Gilmer introduced Harold Anderson, President of Marion County Alliance of Neighborhood Associations (MCANA).

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, April 24, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

April 11, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, April 13, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 187, 189, 192, 193, 194 and 198, 1995, and a NOTICE OF PUBLIC HEARING on Proposal No. 254, 1995, to be held on Monday, April 24, 1995, at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

April 7, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

SPECIAL RESOLUTION 24, 1995 - recognizes the state high school basketball champion Ben Davis High School Giants

SPECIAL RESOLUTION 25, 1995 - recognizes Mary Brown Bullock

SPECIAL RESOLUTION 26, 1995 - commends the St. Joseph Neighborhood and the Riley Area Revitalization Program's work to retain a city police substation

SPECIAL RESOLUTION 27, 1995 - recognizes the Indiana University School of Law-Indianapolis Centennial

FISCAL ORDINANCE 25, 1995 - an appropriation of \$168,000 for the Department of Metropolitan Development, Planning Division, to increase its current contracts with Indianapolis Project, Inc. and Greater Indianapolis Progress Committee and to provide funding for the Small Business Incubator Program financed from the Metropolitan Development General Fund and by additional tax abatement filing fees

April 24, 1995

FISCAL ORDINANCE 26, 1995 - an appropriation of \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to supplement investment in Combined Sewer Overflow projects throughout the City financed from balances in the Sanitary District General Improvement Fund

FISCAL ORDINANCE 29, 1995 - an appropriation of \$42,924 for the Marion County Justice Agency to cover the cost of continuing participation in the Drug Use Forecasting Program financed by grant revenues of the State and Federal Grants Fund

GENERAL ORDINANCE 45, 1995 - amending Sec. 13-1 of the Code by making technical amendments regarding solid waste collection

GENERAL ORDINANCE 46, 1995 - authorizes stop signs for the Parc Estates North subdivision (District 18)

GENERAL ORDINANCE 47, 1995 - authorizes stop signs for Sunningdale Commons subdivision, Sections 1 and 2 (District 18)

GENERAL ORDINANCE 48, 1995 - authorizes stop signs for Hunters Green subdivision, Section 1 (District 1)

GENERAL ORDINANCE 49, 1995 - authorizes a multi-way stop at Boyd Avenue and North Avenue (District 20)

GENERAL ORDINANCE 50, 1995 - authorizes a multi-way stop at Camelback Drive and Buckskin Drive (District 4)

GENERAL ORDINANCE 51, 1995 - authorizes a multi-way stop at Butler Avenue and 13th Street (District 18)

GENERAL ORDINANCE 52, 1995 - authorizes a multi-way stop at Grace Terrace and La Habra Lane (District 5)

GENERAL ORDINANCE 53, 1995 - authorizes parking restrictions on the west side of Capitol Avenue from 38th Street to 21st Street (Districts 6, 9, 22)

GENERAL ORDINANCE 54, 1995 - authorizes parking restrictions on a segment of Delaware Street at Michigan Street (District 16)

GENERAL ORDINANCE 55, 1995 - authorizes parking restrictions on Michigan Street from Holmes Avenue to Miley Avenue, and on Michigan Street from Miley Avenue to White River Parkway West Drive (District 16)

GENERAL ORDINANCE 56, 1995 - amending the Code by authorizing a traffic signal at Madison Avenue and Preddy Drive (District 24)

SPECIAL ORDINANCE 6, 1995 - authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$13,000,000 for the Jewish Federation of Greater Indianapolis, Inc. (6701 Hoover Road, District 2)

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE 3, 1995 - an appropriation from the Police Service District Fund in the amount of \$679,842 for the Department of Public Safety, Police Division, to hire eighteen police officers financed by a U.S. Department of Justice grant

SOLID WASTE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE 1, 1995 - an appropriation from the Solid Waste Collection Service District Fund in the amount of \$1,630,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to clean up demolished buildings under the Unsafe Building Program financed by the unappropriated and unencumbered balance in that fund

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of April 10, 1995. There being no additions or corrections, the minutes were approved as distributed.

**PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS
AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 288, 1995. This proposal, sponsored by Councillor Hinkle, recognizes Indiana's "Mr. Basketball," Damon Frierson. Councillor Hinkle asked Councillor Brents, Damon Frierson, and his parents to join him at the podium. Councillor Hinkle read the resolution and presented a copy of the document to Damon Frierson, who expressed appreciation for the recognition. Councillor Hinkle moved, seconded by Councillor Brents, for adoption. Proposal No. 288, 1995 was adopted by unanimous voice vote.

Proposal No. 288, 1995 was retitled SPECIAL RESOLUTION NO. 28, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 28, 1995

A SPECIAL RESOLUTION recognizing Indiana's "Mr. Basketball", Damon Frierson.

WHEREAS, out of 4,000 Indiana high school basketball team members each year, only one is voted "Mr. Basketball" by the state's varsity coaches and sports reporters; and

WHEREAS, since the annual "Mr. Basketball" was first awarded in 1939, some great names in the sport have earned the title; names such as Oscar Robertson, Steve Alford, Damon Bailey and Glenn Robinson; and

WHEREAS, the 1995 top Indiana high school senior player is Ben Davis' Damon Frierson, the first "Mr. Basketball" from Indianapolis-Marion County since George McGinnis of IPS Washington High School in 1969; and

WHEREAS, Frierson received 187 votes, and the runner-up for the award received 24 votes; and

WHEREAS, Ben Davis Coach Steve Witte wants his team players to be good people, good students and thirdly good basketball players, and he says that Damon Frierson has been all three of those during his three years at Ben Davis; and

WHEREAS, this June, Frierson will wear jersey No. 1 in the Indiana-Kentucky All-Star Games, and in August will attend Miami University at Oxford, Ohio, as that school's first-ever Mr. Basketball player; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis City-County Council recognizes and commends Damon Frierson -- Indianapolis' first state "Mr. Basketball" since before UNIGOV.

SECTION 2. The Council wishes Damon the best of success in the future.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 289, 1995. This proposal, sponsored by Councillor O'Dell, recognizes the 25th Anniversary of Public Broadcasting in Indianapolis. Joining Councillor O'Dell at the podium was Councillor Williams. Councillor O'Dell read the resolution and presented a copy of the document to Lloyd Wright, President and General Manager of WFYI; and the following members of the Metropolitan Public Broadcasting of Indianapolis Board of Directors: Brian Welch, Alice Ross and Andrea Marshall. Messrs. Wright and Welch expressed appreciation

April 24, 1995

for the recognition. Councillor O'Dell moved, seconded by Councillor Williams, for adoption. Proposal No. 289, 1995 was adopted by unanimous voice vote.

Proposal No. 289, 1995 was retitled SPECIAL RESOLUTION NO. 29, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 1995

A SPECIAL RESOLUTION recognizing the 25th Anniversary of Public Broadcasting in Indianapolis.

WHEREAS, on October 4, 1970, with an annual budget of \$221,000, nine employees and three black and white cameras, Channel 20 signed on the air from a building at the Indianapolis Museum of Art; and

WHEREAS, prior to that day, Indianapolis was America's largest city without a public television station, but the late Ardath Burkhart and her army of volunteer women raised the funds to put public TV on the air; and

WHEREAS, today, public broadcasting also includes FM 90 radio which features classical music including Indianapolis Symphony Orchestra concerts; and TV 20 and FM 90 are active with other local organizations in important community issues such as literacy, drug abuse, AIDS, child care, health care and the environment; and

WHEREAS, through its GED ON TV series Channel 20 helps a thousand people a year prepare to pass their high school equivalency tests; and

WHEREAS, WFYI acts as the flagship for a network of Indiana public TV stations to produce the informative INDIANA WEEK IN REVIEW, ACROSS INDIANA, and INDIANA LAWMAKERS weekly shows, and it offers wholesome national public TV programs such as SESAME STREET; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates all those persons--including its 35,000 contributing members--who for the past quarter century have been a part of WFYI 20/FM 90 public broadcasting in Indianapolis.

SECTION 2. Channel 20 and FM 90 are a very important part of the cultural, informational and family entertainment life of Indianapolis, and we wish them well in the years ahead.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 291, 1995. This proposal, sponsored by Councillor Williams, recognizes the Indiana Pacers and the Landmark to Peace. Councillor Williams read the resolution and presented a copy of the document to Donnie Welch and Kathy Jordan, representatives from the Pacers, who expressed appreciation for the recognition. Also present was Leon Younger, Director, Indianapolis Department of Parks and Recreation. Councillor Williams moved, seconded by Councillor Short, for adoption. Proposal No. 291, 1995 was adopted by unanimous voice vote.

Proposal No. 291, 1995 was retitled SPECIAL RESOLUTION NO. 31, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 31, 1995

A SPECIAL RESOLUTION recognizing the Indiana Pacers and the Landmark to Peace.

WHEREAS, on April 4th, 1968, during a campaign appearance in Indianapolis, Senator Robert Kennedy had to make the sad announcement to an audience gathered at 17th and Park that Martin Luther King, Jr. had just been assassinated; his moving message of peace was heard above the anger and tears of that fateful night; and

WHEREAS, a community group led by the Indiana Pacers and their owners, Herb and Diane Simon had a vision of a fitting tribute, a monument commemorating the message of peace at that site; and

WHEREAS, last May, President Bill Clinton and members of the Kennedy and King families met at 17th and Park, the current site of Dr. Martin Luther King, Jr. Memorial Park and broke ground for "A Landmark to Peace" dedicated to the unfulfilled dreams of Kennedy and King; and

WHEREAS, the Indiana Pacers sponsored a national design competition won by a local artist, Greg Perry with a design entitled "Still They Reach" depicting Kennedy and King reaching out--but not quite touching each other--signifying the work that still remains to be done for the true joining of blacks and whites; Dan Edwards a local sculptor will be executing the design; and

WHEREAS, guns collected through the Prosecutor Jeff Modisett's gun amnesty program have been melted down and will be used as part of the walkway between Kennedy and King at the Peace Monument;

WHEREAS, the Landmark to Peace will be unveiled on June 6th, 1995, in King Park; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the leadership of the Pacer organization for bringing focus to nonviolence through a meaningful piece of public art.

SECTION 2. May this monument serve for ourselves and for future generations as a worthy testament to Kennedy and King's goals of peace and harmony.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 292, 1995. This proposal, sponsored by Councillor Dowden, recognizes the National Day of Prayer. Councillor Dowden read the resolution and moved, seconded by Councillor West, for adoption. Proposal No. 292, 1995 was adopted by unanimous voice vote.

Proposal No. 292, 1995 was retitled SPECIAL RESOLUTION NO. 32, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 32, 1995

A SPECIAL RESOLUTION recognizing the National Day of Prayer.

WHEREAS, the National Day of Prayer is a tradition first proclaimed by the Continental Congress in 1775; and

WHEREAS, prayer is part of our Nation's heritage, and our diversity is strengthened by the unifying force of prayer; and

WHEREAS, in 1952, the United States Congress unanimously passed a joint resolution establishing the National Day of Prayer; and

WHEREAS, this law was amended in 1988, permanently designating the first Thursday in May as the National Day of Prayer; and

April 24, 1995

WHEREAS, the National Day of Prayer is an opportunity for Americans to join in united prayer to give thanks to God for blessings received, to request healing for wounds endured, to ask for divine guidance for our leaders and to bring wholeness to the United States and our citizens; and

WHEREAS, it is fitting and proper to give thanks to God by observing this day in Indianapolis, when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening faith and moral values in our families and our city; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council designates May 4, 1995, as "A Day of Prayer in Indianapolis" and urges the citizens of Indianapolis to observe the day by gathering together in prayer and meditation at places of worship, and in groups and as individuals.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 293, 1995. This proposal, sponsored by Councillors Smith and Coughenour, supports the AMTRAK Beech Grove facility. Councillor Smith read the resolution and presented a copy of the document to the Mayor of Beech Grove, Warner Wiley, who expressed appreciation for the recognition. Councillor Smith moved, seconded by Councillor Coughenour, for adoption. Proposal No. 293, 1995 was adopted by unanimous voice vote.

Proposal No. 293, 1995 was retitled SPECIAL RESOLUTION NO. 33, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 33, 1995

A SPECIAL RESOLUTION supporting the AMTRAK Beech Grove Facility.

WHEREAS, for 90 years, beginning during a time when trains puffed their way across the American countryside carrying our nation's freight and passengers, the skilled workers at the Beech Grove yards have kept the trains repaired and rolling; and

WHEREAS, for decades the trains have moved our nation's soldiers, grain, minerals, freight, mail, vacationers and commuters between train stations like Indianapolis' Union Station; and

WHEREAS, the Beech Grove yards now have second and third generations of workers whose fathers have helped pass their crafts down to their sons and grandsons; and

WHEREAS, the Beech Grove Facility is one of only three AMTRAK maintenance yards, and over the years it has accumulated a work force with irreplaceable skills in upholstery, stainless steel, glass, plastics and specialized design work;

WHEREAS, the AMTRAK Beech Grove Facility has a tremendous impact upon the economy of Marion County and Central Indiana, but its employment there has been reduced, and even further cuts are being discussed; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the importance of rail service in America and the important contributions of the AMTRAK Beech Grove Facility to this community and to the nation.

SECTION 2. The Council encourages the Indiana delegation in the U.S. Senate and House of Representatives to be extra sensitive to the specialized talents and tremendous economic importance represented at the Beech Grove Facility, and seek out new ways to sustain and grow that unique facility.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 218, 1995. The proposal reappoints Diana Wilson Hall to the Board of Parks and Recreation. PROPOSAL NO. 219, 1995. The proposal reappoints Charles E. Kendall to the Board of Parks and Recreation. Councillor McClamroch moved, seconded by Councillor O'Dell, for adoption. Proposal Nos. 218 and 219, 1995 were adopted by unanimous voice vote.

Proposal No. 218, 1995 was retitled COUNCIL RESOLUTION NO. 46, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 46, 1995

A COUNCIL RESOLUTION reappointing Diana Wilson Hall to the Board of Parks & Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Parks & Recreation, the Council appoints:

Diana Wilson Hall

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 219, 1995 was retitled COUNCIL RESOLUTION NO. 47, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 47, 1995

A COUNCIL RESOLUTION reappointing Charles E. Kendall to the Board of Parks & Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Parks & Recreation, the Council appoints:

Charles E. Kendall

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Councillor Gray asked for consent to hear Proposal No. 243, 1995 at this time. The President stated that Proposal No. 243, 1995 Would be heard after the public hearing on Proposal No. 254, 1995.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 265, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance prohibiting the use of skateboards in the Broad

Ripple business district"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 266, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Special Resolution authorizing the City by and through its Department of Administration to transfer one 1970 Maximum Pumper to the Indianapolis Fire Buffs and Fire Department Museum, Inc."; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 267, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance an appropriation of \$128,000 for the County Auditor to pay for administration and sale of county-owned land, financed from additional County General Fund revenues generated by such sales"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 268, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution reappointing Ray Battey to the City-County Administrative Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 269, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance an appropriation for \$283,219 for expenses associated with the County Sheriff's assuming responsibility for security in the City-County Building financed by Building Authority's reimbursement of the County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 270, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance an appropriation of \$252,750 for acquisition of laboratory instrumentation and to provide an educational stipend for laboratory employees for the Forensic Services Agency financed by tuition payments to the County General Fund from the government of Abu Dhabi covering eight officers being trained by the Forensic Services Agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 271, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance an appropriation of \$240,000 for new laboratory instrumentation and supplies and to provide various travel/training fees to upgrade Forensic Services Agency's capability in drug and drug-related analysis financed by additional grant revenues of the State and Federal Grants Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 272, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution reappointing William B. Powers to the Citizens Police Complaint Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 273, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance concerning smoking restrictions in local

governmental buildings"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 274, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution reappointing Fred G. Johnston, Jr. to the Board of Ethics"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 275, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution reappointing Judy Seubert to the Board of Ethics"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 276, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance authorizes stop signs for the Huntington Pointe subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 277, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance authorizes intersection controls for the Huntington Estates subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 278, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance authorizes stop signs for the Huntington Ridge subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 279, 1995. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance authorizes a multi-way stop at Wilshire Glen Drive and Cardiff Lane in the Wilshire Glen subdivision (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 280, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance authorizes a multi-way stop at Banta Road and Harding Street (District 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 281, 1995. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance authorizes a multi-way stop at Hoyt Avenue and Spruce Street (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 282, 1995. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a General Ordinance authorizes a multi-way stop at Post Road and Troy Avenue (Districts 13, 23)"; and the President referred it to the Capital Asset Management Committee.

April 24, 1995

Councillor Gilmer stated that he and Councillor Beadling would like this proposal stricken; therefore, he moved, seconded by Councillor Beadling, to strike. Proposal No. 282, 1995 was stricken by unanimous voice.

PROPOSAL NO. 283, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a General Ordinance authorizes a traffic signal at Hanna Avenue and Kentucky Avenue (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 284, 1995. Introduced by Councillors Ruhmkorff and O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance authorizes a traffic signal at Washington Street and Sadlier Drive (Districts 12, 13)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 285, 1995. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a General Ordinance prohibits parking on College Avenue 100 feet south of 40th Street to 100 feet north of 40th Street (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 286, 1995. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a General Ordinance prohibits parking on the south side of 39th Street from Illinois Street to Meridian Street (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 287, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changes the speed limit for 82nd Street from Lafayette Road to County Line Road (District 1)"; and the President referred it to the Capital Asset Management Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 264, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 264, 1995 on April 20, 1995. The proposal is an Inducement Resolution for Willowbrook Park, L.P., a to-be-formed Indiana limited partnership, to proceed with the acquisition, renovation and equipping of the existing 385 unit multi-family residential rental project located at 4803 Round Lake Road on approximately 28.44 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 7). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Rhodes, for adoption. Proposal No. 264, 1995 was adopted on the following roll call vote; viz:

17 YEAS: Beadling, Borst, Brents, Coughenour, Curry, Dowden, Golc, Hinkle, Jimison, Jones, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, West

0 NAYS:

11 NOT VOTING: Black, Boyd, Franklin, Gilmer, Gray, McClamroch, Moriarty Adams, Mullin, Rhodes, Ruhmkorff, Williams

1 NOT PRESENT: Giffin

Proposal No. 264, 1995 was retitled SPECIAL RESOLUTION NO. 34, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 34, 1995

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, Willowbrook Park, L.P., a to-be-formed Indiana limited partnership (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, renovation and equipping of the existing three hundred eighty-five (385) unit multi-family residential facility consisting of twelve (12) buildings located at 4803 Round Lake Road, Indianapolis, Indiana on approximately 28.44 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (four (4) jobs) plus the creation of a construction job payroll and the creation of business opportunities to be achieved by the acquisition, renovation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the acquisition, renovation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Fifteen Million Dollars (\$15,000,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires October 31, 1995, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year,

it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, renovation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. The City-County Council recognizes that the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 228, 1995. This proposal requests the rezoning of 14.40 acres at 2339 Lafayette Road in Wayne Township from C-4, D-4 and D-S Districts to SU-7 classification to provide for a children's group home (District 16). The President stated that the parties are still in negotiation on this matter and asked for consent to postpone this rezoning ordinance until May 22, 1995. Consent was given.

PROPOSAL NO. 254, 1995. This proposal requests the rezoning of 3.67 acres at 4057 East 56th Street in Washington Township from D-3 District to D-5 classification to provide for eight two-family units (District 4). Proposal 254, 1995 was certified by the Metropolitan Development Commission on April 6, 1995. On April 10, 1995 Councillor Dowden moved to schedule Proposal No. 254, 1995 for a public hearing on April 24, 1995. This motion passed by unanimous voice vote.

The President said that Robert Elrod, General Counsel, advised him that a preliminary conference was held with the petitioners and remonstrators on April 19 and there was no resolution of the matter at that time.

Councillor Dowden stated that this rezoning case has been confusing from the beginning. He stressed that there is no ill will between the remonstrators and the owner of the property. The owner is not the petitioner in this case. The neighbors know the property will be developed, but they want it developed so that it is compatible with the neighborhood and in accordance with the Comprehensive Plan. The Metropolitan Development Commission ("Commission") approved this petition by a vote of 4-3. The petition provides for eight two-family units; the petitioner's testimony now calls for nine two-family units. The neighborhood has tried to have meetings with the petitioner. Mr. Dowden said that he believes this rezoning case should never have been approved by the Commission.

John Rybolt, attorney for the petitioner, Salease Corporation, said that each unit will cost \$280,000. The Department of Metropolitan Development ("DMD") staff recommended that the petition be approved with certain commitments which the petitioner has agreed to.

Gordon Harper, attorney for the remonstrators, Almi Acres Association, said that zoning laws and procedures are set up to enable both parties the opportunity to have a fair and equal chance of presenting their case. He introduced the spokesperson for the remonstrators, Beverly Beczkiewicz.

Ms. Beczkiewicz stated that she resides at 5545 North Chester Lane, which is part of the Almi Acres, and abuts the property in question. The petitioner, Al Vincz, has shown complete disregard to the established rules of procedure and to the concerns of the surrounding homeowners. The following rules of procedure have been violated:

1. Failure to notify twenty homes within the 660 ft / 2 deep requirement. (The DMD staff was aware of this failure.)
2. No open occupancy commitments, nor any others, were submitted in this case until February 28, 1995 which is in direct violation of Article III, Section 4.
3. "For Cause" continuance was granted to this petitioner even though the proper filing and notification rules were not followed. This is in violation of Article VI, Section 8f.
4. An automatic continuance was denied the remonstrators even though all filing and notifications met the specified rules of procedure.

Ms. Beczkiewicz said that many attempts were made between December 15, 1994 and March 1, 1995 to meet with the petitioner to discuss mutual goals for this property. These attempts were met with negative response. Almi Acres is a unique, wooded, established area of large, single family homes situated on one-half acre or larger lots. The majority of surrounding areas are zoned D-1 through D-3. The petitioner intends to develop this 3.67 acres into a D-5, multi-family, high density rental property, which is not compatible with the neighborhood. The neighborhood is not opposed to proper development by a reputable builder/developer. She urged the Council to reject this petition.

Mr. Rybolt said that there is D-6, multiple housing in the area. Mr. Vincz' proposed development is also surrounded by a fire station, condominiums, and a church. The petitioner has met with the remonstrators and has made compromises.

Councillor Smith stated that he feels a developer going into an area needs to communicate with the neighbors and asked that this proposal (Petition No. 94-Z-201) be rejected.

Councillor Jimison asked why this development is not compatible with the established area. Ms. Beczkiewicz replied that the neighborhood consists of single-family units with a 1.3 density. The developer wants to use the maximum density which is 4.9 to 5 density per acre.

Councillor McClamroch asked Tamara Tracy, Senior Planner, Neighborhood and Development Services Division, DMD, if the requirements for a rezoning hearing require notice to surrounding property owners. Ms. Tracy replied that notice is required.

Councillor Golc asked if (1) this petition is for eight or nine two-family units, and (2) the proper papers have been filed. Ms. Tracy said that this has been a frustrating case. The developer's conceptual plan indicates nine units; the number on the petition form is eight. According to her calculations, twenty-three property owners were not notified. She brought this failure to notify to the Commission's legal counsel, who indicated at that time such a discrepancy needed to be brought before the Commission, but that she was not the appropriate party to do that.

Councillor McClamroch said that the issue of notice is as important as anything else in any zoning case. He asked how the Commission could not take that into consideration. Ms. Tracy said that staff's role is merely advisory. The remonstrators alleged improper notice at the Commission hearing; however, the Commission was very frustrated in the handling of the case and the lack of communication. Under state statute, the rules of procedure for giving notice is left to the Commission's jurisdiction. The Commission wanted to hear the case and so under its authority it did.

Councillor McClamroch said that the Commission knew that twenty-three property owners were not notified and they still voted to approve this petition. Ms. Tracy said that the Commission approved it by a 4-3 vote.

Councillor Golc asked if this rezoning is consistent with the Comprehensive Plan for that area. Ms. Tracy answered in the affirmative.

Councillor Dowden called for the question.

The President reminded the Councillors that under Council rules the vote is to sustain the Commission's approval to rezone this property which will take 12 yes votes; to reject will take 18 no votes. The Commission's decision was rejected and Proposal No. 254, 1995 failed by the following roll call vote; viz:

0 YEAS:

28 NAYS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

1 NOT PRESENT: Giffin

SPECIAL ORDERS - FINAL ADOPTION

Councillor Beadling asked for consent to hear Proposal No. 190, 1995 after Proposal No. 243, 1995. Consent was given.

The President stated that Proposal No. 243, 1995 removes a 3-way stop sign at 51st Street and Knollton Road. Councillor Gray sponsored a proposal last year that authorized the installation of the 3-way stop sign at that intersection. Mr. Mickey Slosson, who lives near the intersection and drives through it several times a day, is petitioning to remove the 3-way stop. Councillor Gray represents the remonstrators who live along Knollton Road. Mr. Slosson represents other neighbors and motorists who use this secondary thoroughfare and who do not see the need for the sign. Neighbors who are concerned with safety and speed in their neighborhood attempt to control that with stop signs. Then there are the motorists who

use the thoroughfares and want to get to their destination as quickly as possible. There is the need to move the traffic and the need to protect the neighborhood.

The President passed the gavel to the Vice-President. The Vice-President recognized Councillor Gilmer.

PROPOSAL NO. 243, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 243, 1995 on April 19, 1995. The proposal changes the intersection controls at 51st Street and Knollton Road (District 9). By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The Vice-President said that the procedure that will be followed is that Councillor Gray will be given the opportunity to make an opening statement; then there will be ten minutes for the proponents and ten minutes for the remonstrators.

Councillor Gray said that he is the Councillor and the representative for this district. The neighborhood residents want the 3-way stop sign at this intersection. He questioned that someone who does not live in this neighborhood can dictate what intersection controls go into a neighborhood. He hoped the Council would recognize his request and that of the people he represents.

Mickey Slosson said that he has lived in the area between 30 and 35 years and uses Knollton Road as a north-south access. He questioned whether the traffic flow justifies a three-way stop when there is heavier traffic on other roads without signs. He suggested that the stop signs be removed pending a traffic study done by the City. He also suggested that the bushes be trimmed on the northwest corner of Knollton Road and 51st Street.

Susan Tennant, 5116 Knollton Road, testified that there are children who live 50 ft to 100 ft from this intersection. The speed zone along Knollton Road is 35 mph, but no one obeys the speed limit. Nothing has helped to slow traffic except this stop sign.

Steve Weber, president of Crooked Creek Civic Association, said that he presented Councillor Gray with 102 signatures that were collected over the weekend opposing this proposal. He said that no one notified this neighborhood regarding this proposal.

Nahoma Deckelbaum said that she was the original resident to request this 3-way stop. She said that motorists go 40 and 50 mph and there have been numerous accidents on this road.

John A. Murphy, 5100 Knollton Road, stated that he lives on the corner which has been assessed to have a blind spot. He said that he keeps the bushes trimmed as best he can.

Councillor SerVaas read an official note from DCAM which said that the sign was installed as a result of a traffic study. The study revealed that there was a slight distance restriction caused by a vertical crest on the north side of the intersection that arose along Crooked Creek up to 51st Street. That was the only reason given. He moved to table Proposal No. 243, 1995 for at least 90 days and that DCAM do a thorough study of the traffic, safety, and other problems attendant to this issue and, if in their opinion this sign should be there, then the

petitioner will join Councillor Gray and this proposal will be withdrawn and the sign remain. Councillors Dowden and Schneider seconded this motion.

Councillor Gray said that the study has already been completed and is on file. He voiced his opposition to this motion to table.

Councillor Hinkle asked if the motion would include the engineers addressing the intersection of Olympia and Knollton. Councillor SerVaas answered in the affirmative. Councillor Hinkle said that after spending thirty minutes out there on Saturday, he believes the problem is a sight problem at the intersection of Olympia and Knollton because of the bushes.

Councillor Boyd asked if there is only one person who wants this stop sign removed. He urged the Councillors to abide by the wishes of the Councillor who represents this district.

Councillor Rhodes said that he does not believe that there is any study that would ever meet the standards of a uniform traffic code. He said he has introduced similar stop signs to slow down traffic in his district. While DCAM agrees that stop signs do not meet the traffic code standards, they also agree they work. He said that he believes that the 3-way stop at 51st Street and Knollton Road was designed, more than anything else, to slow down the traffic on a very narrow, secondary arterial road. He urged the Councillors to defeat this proposal.

Councillor Gilmer said that to set the record straight, nobody was present at the Committee hearing from the neighborhood; five people were there, including Mr. Slosson, with a well-documented report supporting this proposal.

Councillor Smith asked George Lynch, Executive Assistant, DCAM, if the 1990 study reflected the number of accidents at this location. Mr. Lynch replied that it did, and as result, it was DCAM's recommendation that the stop signs be installed.

Councillor Short stated that he would like the petitioner to tell him that the safety of one child is not worth the inconvenience of stopping at a stop sign.

Councillor Franklin testified that he supports neighborhoods, but also there should not be a stop sign on every block. If the last traffic study were done in 1990, it is probably time for a new traffic study. He supports Councillor SerVaas' motion to table, and he moved the question. Councillor Smith seconded the motion to move the question, and it passed by a unanimous voice vote.

Councillor Gray said that the reason no one from the neighborhood appeared at the Committee meeting was that he did not inform them of the proposal--he did not believe that it was going to be controversial.

Councillor SerVaas' motion to table was defeated by the following roll call vote; viz:

12 YEAS: Borst, Curry, Dowden, Franklin, Gilmer, Hinkle, Jones, McClamroch, O'Dell, Schneider, SerVaas, Shambaugh, Smith

16 NAYS: Beadling, Black, Boyd, Brents, Coughenour, Golc, Gray, Jimison, Jones, Moriarty Adams, Mullin, Rhodes, Ruhmkorff, Short, West, Williams

1 NOT PRESENT: Giffin

Councillor Williams asked Mr. Lynch what DCAM's recommendation is concerning this proposal. Mr. Lynch replied that DCAM's recommendation is that the 3-way stop sign remain.

Councillor Ruhmkorff asked why this discussion did not take place when the stop signs were first authorized.

Councillor Jimison moved the question. This motion was seconded by Councillor Short, and it passed by unanimous voice vote.

Proposal No. 243, 1995 was defeated by the following roll call vote; viz:

*9 YEAS: Dowden, Franklin, Gilmer, Hinkle, McClamroch, O'Dell, Schneider, SerVaas, Smith
19 NAYS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Golc, Gray, Jimison, Jones,
Moriarty Adams, Mullin, Rhodes, Ruhmkorff, Shambaugh, Short, West, Williams
1 NOT PRESENT: Giffin*

Councillor SerVaas stated that he will work with Councillor Gray and the neighborhood to address all the issues concerning the safety on Knollton Road.

The Vice President returned the gavel to the President.

PROPOSAL NO. 190, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 190, 1995 on March 28, 1995. On April 10 the Council voted to return it to Committee, and it was heard again on April 18 by the Committee. The proposal, sponsored by Councillor Beadling, adopts a new Wellfield Protection Zoning Ordinance for Marion County, further restricting land uses to protect the ground water/aquifer resources of specifically delineated areas of Marion County. By a 6-0 vote on April 18, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor West moved, seconded by Councillor Beadling, for adoption.

The President suggested that the Metropolitan Development Committee hold additional meetings after budget hearings, to determine the amount of lubricants and other processing chemicals needed by businesses; and to look again at the grandfather group to ascertain what function would precipitate their inclusion in the larger scope of the ordinance.

Proposal No. 190, 1995, as amended, was adopted on the following roll call vote; viz:

*25 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Gilmer, Golc,
Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff,
Schneider, SerVaas, Shambaugh, Short, Smith, West
0 NAYS:
3 NOT VOTING: Franklin, Hinkle, Williams
1 NOT PRESENT: Giffin*

Proposal No. 190, 1995, as amended, was retitled GENERAL ORDINANCE NO. 57, 1995 and reads as follows:

April 24, 1995

CITY-COUNTY GENERAL ORDINANCE NO. 57, 1995
METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 95-AO-6
THE WELLFIELD PROTECTION ZONING ORDINANCE
OF
MARION COUNTY, INDIANA

A GENERAL ORDINANCE to establish the Wellfield Protection Zoning Ordinance, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4 establishes the Metropolitan Development Commission of Marion County, Indiana, as the single planning and zoning authority for Marion County, Indiana, and empowers the Metropolitan Development Commission to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana, ordinances for the zoning or districting of all lands within the county for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; and,

WHEREAS, the safety and potability of the community's ground water supply requires that lands near wellfields used to supply water for public purposes be subject to land use controls designed to prevent site development that is injurious to the public water supply; and,

WHEREAS, the Comprehensive Plan for Marion County, adopted by the Metropolitan Development Commission, recommends establishing wellfield protection programs for all public wellfield areas in Marion County, and it specifically recommends regulating certain potentially hazardous land uses near such wellfield areas; and,

WHEREAS, local water utilities, anticipating the Indiana Department of Environmental Management mandates for Public Water Supply Systems, are presently establishing wellfield protection programs as a first step towards protecting their public wellfields; and,

WHEREAS, no zoning mechanism exists to sufficiently protect public wellfields from the location of potentially hazardous land uses; and,

WHEREAS, dependency on groundwater is increasing (the City of Lawrence and Ft. Harrison are totally dependent on ground water; the Town of Speedway gets much of its water from ground water sources; and, the Indianapolis Water Company estimates that by the year 2000, 18% of its water supply will come from ground water, up from an estimated 9% in 1993); and,

WHEREAS, future development in Marion County is dependent on the availability of ground water; and,

WHEREAS, it is the intent of the Wellfield Zoning Steering Committee to submit a final Wellfield Protection Zoning ordinance by April 30, 1996; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Wellfield Protection Zoning Ordinance be adopted as a part of the Municipal Code of Indianapolis and Marion County, Indiana, Appendix D, as adopted under Metropolitan Development Commission Docket Number 95-AO-6, pursuant to IC-36-7-4, as follows:

CHAPTER I

Sec. 1.00. Establishment of Districts. The following secondary Wellfield Protection Zoning Districts for Marion County, Indiana, are hereby established, and land within said County is hereby classified, divided and zoned into said districts as designated on the Wellfield Protection Zoning Districts Maps, which maps are attached hereto, incorporated herein by reference and made part of this ordinance.

Wellfield Protection Zoning Districts

Zoning District Symbols

One Year Time-of-Travel
Protection Area (secondary)

W-1

Five Year Time-of-Travel
Protection Area (secondary)

W-5

EDITORIAL NOTE: The boundaries of the Wellfield Protection Zoning Districts were created through the use of computerized ground water modeling techniques in accordance with the Indiana Department of Environmental Management proposed criteria for Wellhead Protection Areas.

CHAPTER II

Sec. 2.00. General Regulations Applicable to Wellfield Protection Zoning Districts. The following regulations shall apply to all land within the Wellfield Protection Zoning Districts. These regulations shall be in addition to all other primary and secondary zoning district regulations applicable to said land, and in case of conflict, the more restrictive regulations shall apply.

A. *Applicability of Regulations.* After the effective date of this ordinance:

1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.
2. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance.
 - a. Discontinuation of Nonconformity. The lawful nonconforming use or occupancy of any lot, in a Wellfield Protection Zoning District, existing at the time of the effective date of this Ordinance, may be continued as a nonconforming use, but if such nonconforming use is discontinued for one (1) year, any future use or occupancy of said land shall be in conformity with the use provisions of this ordinance and the provisions of the Primary and Secondary Districts.
 - b. Upgrades to Legally Established Nonconforming Uses.
 - i. Those components of Legally Established Nonconforming Uses that are used for the storage or processing of potential ground water contaminants may be repaired or upgraded to achieve compliance with applicable federal, state, or county regulations. They may also be repaired or upgraded to improve or protect the public health, public safety or the environment.
 - ii. All components of the premises that do not involve the storing or processing of potential ground water contaminants may be upgraded and repaired in accordance with the primary zoning.
 - c. Expansion of Legally Established Nonconforming Uses.
 - i. Those components of Legally Established Nonconforming Uses that are used for the storage or processing of potential ground water contaminants may be expanded within the site of the Legally Established Nonconforming Use if:
 1. An Improvement Location Permit is not required in connection with the expansion, and;
 2. No new potential ground water contaminant is introduced.
 - ii. Unless exempted by Sec. 2.00,A,2,c,i, the expansion of those components of Legally Established Nonconforming Uses that are used for the storage or processing of potential ground water contaminants on the site of the Legally Established Nonconforming use is subject to the granting of an Approval by the Administrator of the Neighborhood and Development Services Division. The Approval may be granted if the standards set forth in Sec. 2.02,C,2 are met and if both the Health Officer of the Health and Hospital Corporation of Marion County and the applicable water utility indicate in writing that the expansion is acceptable. In connection with the grant, the Administrator may impose conditions or require commitments to protect the ground water supply. The Health and Hospital Corporation or the applicable water utility may indicate that its finding of acceptability is contingent on meeting specified conditions or commitments; if a contingent finding of acceptability is given, the Administrator may not grant the Approval without imposing the specified condition or requiring the specified commitment.

To apply for an Approval from the Administrator, a site plan, area map, and a detailed Plan of Operation including a listing of the types and quantities of liquids or water soluble solids to be stored or used on site must be provided to the Neighborhood and Development Services Division, the Health and Hospital Corporation, and the applicable water utility. The Approval may be granted without notice or hearing. If the Approval is not granted, the applicant may request a Special Exception under Sec. 2.02,C.

iii. All components of the premises that do not involve the storing or processing of potential ground water contaminants can be expanded in accordance with the primary zoning.

- d. Restoration of Legally Established Nonconforming Uses, Structures, Buildings. Legally Established Nonconforming uses and structures or buildings not located in any Flood Control District may be restored to their original dimensions and conditions if damaged or partially destroyed by fire or other naturally occurring disaster, provided the damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the building or structure affected. If more than two-thirds (2/3) of the gross floor area of the building or structure is affected, Administrative Approval is required as described in Sec. 2.00,A,c,ii.

Sec. 2.01. Permitted Uses.

A. All land uses permitted in the applicable underlying zoning districts shall be those allowed in the primary and secondary overlay districts unless further regulated in Sec. 2.02.

Sec. 2.02. Special Exception Uses.

Statement of Purpose. Because of the risk that certain land uses pose to ground water, it is recognized that the further regulation of such uses is essential in order to preserve public health and economic vitality within Marion County.

A. *Uses Allowed Only by Special Exception.*

1. The following table lists the special use, commercial and industrial land uses that are permitted in the W-1 and W-5 districts only upon the grant of a Special Exception ~~by the Board of Zoning Appeals decided in accordance with Indiana Code 36-7-4-900 Series. All petitions for Special Exceptions to the W-1 and W-5 districts shall be subject to a public hearing before a Hearing Officer, appointed by the Metropolitan Development Commission, who has special expertise in environmental protection matters, under an alternate procedure to be established by the Metropolitan Development Commission which will require such petitions to be referred to a Hearing Officer who is qualified to evaluate contamination risk management and ground water quality protection and who is specifically appointed for such purposes.~~ However, those listed land uses in the W-1 district that, in their ordinary course of business, have less than the threshold amount of one (1) gallon of liquids in the aggregate or six (6) pounds of water soluble solids in the aggregate and those land uses in the W-5 district that, in their ordinary course of business, have less than the threshold amount of one hundred (100) gallons of liquids in the aggregate or six hundred (600) pounds of water soluble solids in the aggregate on site are excluded from this Special Exception requirement.
2. In calculating whether the aggregate W-1 and W-5 districts' thresholds for liquids or the W-1 and W-5 districts' thresholds for water soluble solids are met, the following substances shall be exempted:
 - a. Beverages and food to be consumed on the site.
 - b. Reasonable supplies for routine building and yard maintenance.
 - c. Liquids required for normal operation of a motor vehicle in use by that vehicle.
 - d. Substances contained within vehicles for bulk deliveries to the site.
 - e. Uncontaminated public water supply water, well water or river water.
 - f. Any liquid or water soluble solid on a list of exempt substances promulgated by the Health and Hospital Corporation in a quantity below the maximum amount for that substance. The Health and Hospital Corporation shall prepare a list of exempt substances and the maximum exemption amount for each substance. The list and amounts shall be based on information about the toxicity and

mobility of the substances in ground water supply. The Health and Hospital Corporation may add to or delete from the list from time to time. A copy of this list will be available in the office of the Neighborhood and Development Services Division.

PRIMARY LAND USES	
Agricultural Chemical Storage	<u>Manufacture of Autos and Trucks Assembly</u>
Animal Feedlots	<u>Manufacture of Measuring, Analyzing & Controlling Instruments; Photographic, Medical and Optical Goods; Watches & Clocks</u>
Pesticide & Fertilizer Application Services	<u>Manufacture of Recording Instruments</u>
Road Salt Storage	<u>Manufacture of Communication Equipment</u>
Oil and Gas Production Wells	<u>Manufacture of Major Electric and/or Gas Household Appliances</u>
Metal Mining	<u>Manufacture of Marine Equipment Manufacture</u>
Chemical & Fertilizer Minerals Mining and Quarrying	<u>Manufacture of Chemicals and Gases</u>
Clay, Ceramic & Refractory Minerals Mining and Quarrying	<u>Manufacture of Colors, Dye, Paint and Other Coatings</u>
Limestone, Sand & Gravel Mining and Quarrying	<u>Manufacture of Detergents and Soaps</u>
Textile Production	<u>Manufacture of Explosives, Matches, and Fireworks</u>
Building Materials Production	<u>Manufacture of Glass and Glass Products</u>
Wood Preservers and Treaters	<u>Manufacture of Light Portable Household Appliances; Electric Hand Tools; Electrical Components and Sub-Assemblies; Electric Motors; Electric and Neon Signs</u>
Printing and Allied Industries	<u>Manufacture of Wood Products Manufacturing</u>
Chemical Manufacture , Blending and Distribution	<u>Manufacture of Paper, Paper Box and Paper and Allied Products</u>
Slaughterhouse and Meat Packing	<u>Manufacture of Machinery, Including Electrical & Electronic Machinery; and Equipment and Supplies (circuits and Batteries).</u>
<u>Fat Rendering</u>	<u>Manufacture of Musical Instruments</u>
Rubber & Miscellaneous Plastics Processing & Production	<u>Manufacture of Office Machinery, Electrical and Mechanical</u>
Leather Tanning and Finishing	<u>Manufacture of Tools and Implements, Machinery and Machinery Components</u>
Silicone, Glass or Cement Manufacturing	<u>Manufacture of Cement</u>
<u>Creosote Manufacturing and Treatment</u>	<u>Blast Furnaces, Steel Works, Rolling & Finishing Mills</u>
Electroplaters, Metal Finishers & Metal Fabricators	<u>Food or Beverage Production (excluding restaurants and catering)</u>
<u>Electroplating Operations and Metal Finishers</u>	<u>Radioactive Waste Handling and Storage</u>

<u>Stamping and Fabricating Metal Shops Using Press, Brakes, and Rolls</u>	Construction Contractors' Equipment and Materials Storage
<u>Machine, Tool and Die Shops</u>	Materials Transport & Transfer Operations (Truck Terminals)
Dry Cleaners and Commercial Laundries	Oil and Liquid Materials Pipelines
Motor and Body Repair: Auto, Truck, Lawnmower, Airplane, Boat, <u>Motorcycle</u>	Wastewater Treatment Facilities
Automotive Supplies Distribution	Sludge Treatment and Disposal
Mortuary and Other Embalming Services	Furniture & Wood Strippers, Refinishers
Photographic Processing Facilities	Scrap & Junk yards
Laboratories: Medical, Biological, Bacteriological, Chemical	Chemical & Petroleum Storage and Sales
Building Cleaning & Maintenance Services Company	Gasoline Service Stations and Storage Tanks
Hospitals	Car and Truck Wash
Educational, Engineering & Vocational Shops and Laboratories	Truck Stop
Large Institutional Uses: Convalescent or Nursing Homes Correctional and Penal Institutions, Schools and <u>Universities</u>	Heating Oil Companies/Fuel Storage
Warehousing of Potential Ground Water Contaminants	Petroleum Refining
Equipment Repair	Asphalt and Tar Production

Development associated with the above listed primary land uses, but used exclusively for offices, does not require a Special Exception.

B. *Special Regulations for Uses Permitted by Special Exception.* In whatever Wellfield Protection Zoning District within Marion County the uses designated in Sec. 2.02,A, are included as permitted uses, such uses shall be subject to the following special regulations. These special regulations shall be in addition to the applicable district's development standards and requirements and, in case of any conflict, the more stringent regulations shall control.

Except as provided in Sec. 2.00,A,2,a through d, no new or changed use of land, structure, or premises, as designated in Sec. 2.02,A, shall be permitted except upon the grant of a Special Exception by ~~the Board of Zoning Appeals~~ a Hearing Officer, as provided in Sec. 2.02,A,1, to permit such a use.

C. *Grant of Special Exception.* ~~The Board of Zoning Appeals is hereby authorized to grant a~~ The grant of a Special Exception to permit uses designated in Sec. 2.02, A, shall be subject to the following requirements:

1. A petition for Special Exception to permit any use designated in Sec. 2.02,A, shall be filed ~~with the Board of Zoning Appeals~~ in accordance with the ~~Board's~~ Hearing Officer of the Metropolitan Board of Zoning Appeals Rules of Procedure.

In addition to the site plan and area map filing requirements of the ~~Board's~~ Rules of Procedure or Special Exception petition forms, the petitioner shall file with the Special Exception petition:

- a. ~~A Detailed~~ Plan of Operation including a listing of the types and quantities of liquids or water-soluble solids to be stored or used on site.

- b. Specifications for any secondary containment system.
- c. ~~A Proposed detailed Finding of Fact, in support of determination by the Board (hereinafter specified as described in Sec. 2.02,C,2, of this ordinance).~~

The petition, or evidence presented ~~to the Board~~ at the public hearing, may include any additional pertinent exhibits.

~~The Board of Zoning Appeals shall consider~~ Comments from the public and appropriate regulatory agencies relating to the effects of development on ground water shall be considered at the public hearing.

- 2. *Finding of Fact.* A Special Exception shall be granted following public hearing of the petition and upon ~~the Board's~~ a determination that the proposed land use and associated activities will not pose an unreasonable risk to ground water within a designated wellfield protection area.
- 3. *The granting of Special Exception shall be subject to the requirements in Sec. 2.02,C,4.* However, the ~~Board of Zoning Appeals~~ Hearing Officer may:
 - a. Impose conditions or require commitments to protect the ground water supply in addition to the requirements stated in Sec. 2.02,C,4.
 - b. Substitute conditions or commitments that protect the ground water supply for one or more of the requirements in Sec. 2.02,C,4. These conditions or commitments may be less stringent or more stringent than the requirements in Sec. 2.02,C,4.
 - c. Waive one or more of the requirements in Sec. 2.02,C,4, if agreement to the waiver of the requirement has been expressed in writing by the Health Officer of Health and Hospital Corporation and the applicable water utility.

In determining whether conditions or commitments should be made applicable, in determining whether conditions and commitments should be substituted for requirements, and in determining whether requirements should be waived, ~~the Board of Zoning Appeals shall consider~~ the risk to the ground water supply posed by the development and the costs of various methods of protecting the ground water supply shall be considered. The ~~Board of Zoning Appeals~~ Hearing Officer shall make findings supporting the substitution of conditions or commitments for requirements or the waiver of requirements.

- 4. Except as provided in Sec. 2.02,C,3, real property that is the subject of a Special Exception under Sec. 2.02, shall be subject to the requirements found in this 2.02,C,4. Unless otherwise stated, these requirements shall apply to real property in both the W-1 and W-5 districts. Where a requirement is applicable to a "liquid" or "water soluble solid," the requirement does not extend to liquids or water soluble solids exempted under Sec. 2.02,A,2,a through f.
 - a. All known abandoned wells shall be identified and sealed in accordance with The Code of the Health and Hospital Corporation, (1980), as amended, IC 25-39-4-6 and Title 310 IAC 16-10-2, as amended.

The Code of Health and Hospital Corporation, Chapter 18, as amended are incorporated into this ordinance by reference. Two copies of The Code, Chapter 18 are on file and available for public inspection in the office of the Neighborhood and Development Services Division.

- b. No surface impoundments, ponds, or lagoons shall be established except for:
 - i. Storm water detention and retention ponds; and

- ii. Recreation or landscaping purposes.
- c. Surface drainage from the property, if collected, shall be diverted to storm sewers, when available. If storm sewers are not available, storm water detention and retention ponds may be used in the W-1 and W-5 districts. However, in the W-1 district, detention and retention ponds shall meet one of the following criteria:
 - i. They are constructed in a manner that provides an effective barrier to the migration of potential ground water contaminants into the ground water.
 - ii. There are existing or developed site features, including the location of the proposed pond, to prevent the migration of potential ground water contaminants into the ground water.
- d. The development shall be connected to municipal sanitary sewers. Floor drains, if present, must be connected to sanitary sewers or routed to a temporary holding area for removal.
- e. All trash dumpsters shall be located on hardsurfaced areas that drain to storm sewers or sanitary sewers.
- f. All outdoor areas that may be used for the storage of potential ground water contaminants shall be constructed in a manner to prevent a release from the storage area from reaching the ground water.
- g. All vehicle or equipment repair and shop areas shall be located within an enclosed building that includes a floor constructed of material which forms an effective barrier to prevent the migration of fluids or other materials into the ground water.
- h. The following restrictions apply only in the W-1 district:
 - i. No storage tank of liquid (for underground storage tanks see requirement m) of greater than one thousand (1000) gallons is allowed.
 - ii. No storage of water soluble solids of more than six thousand (6000) pounds is allowed in any one containment area.
- i. Except for fuel stored in accordance with C.3.n, at a fuel dispensing facility, all tanks holding more than 40 gallons of liquids for more than twenty-four hours must be in a location or containment area capable of preventing any release from the tank from reaching the ground water table. A containment area capable of containing 110% of the largest such tank in that location would satisfy this requirement.

A tank is a container used to contain a liquid. Neither a pipe nor a surface impoundment is a tank.

- i. The containment area shall be constructed to meet at least one (1) of the following requirements:
 - 1. A secondary containment structure designed to prevent and control the escape or movement of potential ground water contaminants into ground water for a minimum period of 72 hours before removal; or
 - 2. A storage tank designed and built with an outer shell and a space between the tank wall and the outer shell that allows and includes interstitial monitoring.
- ii. Where practical, the secondary containment structure shall be designed to allow drainage or pumping into a holding area designed to contain the discharge until it can be properly removed.

- iii. The secondary containment structure shall be properly maintained and shall be free of vegetation, cracks, open seams, open drains, siphons, or other openings that jeopardize the integrity of the structure.
- iv. Secondary containment systems shall be designed so that the intrusion of precipitation is inhibited or that stormwater is removed to maintain system capacity.
- j. While being stored, water soluble solids must be kept dry at all times.
- k. Sludges which could release liquids or water soluble solids must be contained so that neither could enter the ground water.
- l. The transfer area for the bulk delivery of liquids shall be required to accommodate and contain a release that occurs during loading and unloading of a tank as follows:
 - i. The liquid transfer area shall be constructed in a manner to prevent a release in the transfer area from reaching the ground water.
 - ii. The portion of the liquid transfer area intended to contain releases shall be maintained so that it is free of vegetation, cracks, open seams, open drains, siphons, or other openings that jeopardize the integrity of the area.

EDITORIAL NOTE: Disposal of hazardous materials shall be in accordance with regulations governing the disposal of hazardous materials as defined by The Code of the Health and Hospital Corporation of Marion County, Chapter 20 (1993), as amended.

- m. In the W-1 district, existing underground storage tanks (USTs) may be replaced or upgraded only in accordance with requirement n. Replacements and upgrades to existing USTs at fuel dispensing facilities are not subject to the volume limitations provided in requirement h. No other new USTs are permitted in the W-1 district.
- n. The following requirements apply only to fuel dispensing facilities, or replacement or upgraded USTs as referenced in requirement m. For all other tanks, see requirement i.
 - i. Approved USTs shall be double walled.
 - ii. Approved USTs shall include the following three methods of release detection:
 - 1. Inventory Control as defined in 40 CFR 280.43(a);
 - 2. Monthly 0.2 in tank leak test as defined in 40 CFR 280.43(d); and
 - 3. Interstitial monitoring of a double walled approved UST as defined by 40 CFR 280.43(g).
 - iii. Connected piping must include the following three methods of release detection:
 - 1. Inventory Control;
 - 2. Continuous detection for 3 gallon per hour line leak, as specified in 40 CFR 280.44(a) except that automatic shutoff is required at 95% tank capacity; and
 - 3. Double walled line which is continuously monitored to detect the presence of liquid in the interstitial space and provided an alarm as specified in 40 CFR 280.44c via 280.43g.

- o. The following requirements apply to all excavation activities associated with the removal of sand and gravel materials:
 - i. If the extraction of sand and gravel involves the removal of materials below the normal ground water level, the work shall be accomplished by way of a dragline, floating dredge, or an alternative "wet" excavation method.
 - ii. There shall be no de-watering of sites utilized for sand and gravel extraction.
 - iii. No form of solid waste, sludge, or any other form of waste material of any kind, including, but not limited to, construction/demolition debris, shall be used on the site. The only fill permitted to be used on the site shall be natural surface materials taken from the site during sand and gravel extraction operations.
 - iv. Except for diesel fuel or hydraulic fluids reasonably required to be contained on the equipment, there shall be no storage of any fuels, oils, lubricants, hydraulic fluids, petroleum products or other similar materials on site.
- p. De-watering of sites shall be permitted only for the following purposes:
 - i. To prevent water damage to structures; and
 - ii. To protect ground water quality; and
 - iii. The temporary de-watering for the construction of sewers and other underground facilities.
- q. Class V injection wells (as defined in 40 CFR 146) shall be prohibited with the exception of the following:
 - i. Air conditioning return flow wells used to return to the supply aquifer the water used for heating or cooling in a heat pump, if non-contact; and
 - ii. Cooling water return flow wells used to inject water previously used for cooling, if non-contact; and
 - iii. Barrier recharge wells used to replenish the water in an aquifer or to improve ground water quality; and
 - iv. Wells used to inject spent brine into the same formation from which it was withdrawn after extraction of halogens or their salts.
 - v. Wells associated with the recovery of geothermal energy for heating, aquaculture and production of electric power, if non-contact.

Sec. 2.03. Construction of Language and Definitions.

A. *Construction of Language.* The language of this ordinance shall be interpreted in accordance with the following regulations:

- 1. The particular shall control the general.
- 2. In the case of any difference of meaning or implication between the text of this ordinance and any illustration or diagram, the text shall control.
- 3. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.

4. Words used in the present tense shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. A "building" or "structure" includes any part thereof.
6. The phrase "used for", includes "arranged for", "designed for", "intended for", "maintained for", or "occupied for".
7. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and", "or", or "either...or", the conjunction shall be interpreted as follows:
 - a. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
 - b. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 - c. "Either...or" indicates that all the connected items, conditions, provisions, or events shall apply singly but not in combination.

B. *Definitions.* The words in the text or illustrations of this ordinance shall be interpreted in accordance with the following definitions. The illustrations and diagrams in this section provide graphic representation of the concept of a definition; the illustration or diagram is not to be construed or interpreted as a definition itself.

1. *Abandoned Well.* A well whose use has been permanently discontinued or which is in a state of disrepair such that it cannot be used for its intended purpose or for observation purposes.
2. *Above Ground Storage Tank.* Any one or combination of tanks (including underground pipes connected thereto) which is used to contain an accumulation of potential ground water contaminants and the volume of which (including the volume of underground pipes connected thereto) is less than ten (10) percent beneath the surface of the ground. Flow-through process tanks are excluded from the definition of above ground storage tanks.
3. *Access Drive.* That area within the right-of-way between the pavement edge or curb and the right-of-way line providing ingress and egress to and from a land parcel or property.
4. *Approved Underground Storage Tank.* A stationary device designed to contain an accumulation of potential ground water contaminants and constructed of non-earthen materials, for example, steel or fiberglass, which has been approved for use by the Steel Tank Institute or the Fiberglass Petroleum Tank and Pipe Institute.
5. *Building.* Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property of any kind, having a permanent roof supported by columns or walls.
6. *Connected Piping.* All underground piping including valves, elbows, joints, flanges, and flexible connectors attached to a tank system.
7. *Containment Area.* An above ground area with floors and sidewalls that have been constructed of a material which will prevent migration of fluids into the ground water.
8. *De-Watering.* Any removal of ground water specifically designed to lower ground water levels.
9. *Disposal.* Discharge, deposit, injection, dumping, spilling, leaking, or placing of any potential ground water contaminants into or on any land or water.

10. *Drag Line*. An excavating machine in which the bucket is attached by cables and operates by being drawn toward the machine.
11. *Driveway*. Access for vehicular movement to egress/ingress between the right-of-way of private or public streets and the required building setback line.
12. *Dry Disconnect Couplings*. A device that serves to connect the ends of adjacent fuel delivery hoses or piping, and which is designed to completely contain the volume of fuel contained in such hoses or piping upon disconnection.
13. *Excavation*. The breaking of ground, except common household gardening, ground care and agricultural activity.
14. *Fuel Dispensing Facility*. Any facility where gasoline or diesel fuel is dispensed into motor vehicle fuel tanks from an underground storage tank.
15. *Ground Water*. Any water occurring within the zone of saturation in a geologic formation beneath the surface of the earth.
16. *Hardsurfaced*. (Pertains to the Wellfield Protection Zoning Ordinance only.) Quality of an outer area being solidly constructed of asphalt, concrete, or other Health and Hospital Corporation approved material.
17. *Potential Ground Water Contaminant*. Any material which because of its toxicity and mobility in ground water, poses a significant hazard to the quality of ground water resources used for public water supply.
18. *Liquid Transfer Area*. An off-street area maintained and intended for temporary parking of a commercial vehicle while transferring potential ground water contaminant to and from a facility.
19. *Interstitial Monitoring*. A system designed, constructed and installed to detect a leak from any portion of a storage tank or connected piping that routinely contains potential ground water contaminants by monitoring the space between the primary (inner) tank or connected piping and the secondary (outer) tank or connected piping.
20. *Legally Established Nonconforming Use*. Any continuous, lawful land use having commenced prior to the time of adoption, revision or amendment, or granted a variance of the zoning ordinance, but which fails, by reason of such adoption, revision, amendment or variance to conform to the present requirements of the zoning district.
21. *Liquid*. A liquid is a substance or mixture which is fluid at 20 degrees C (68 degrees F).
22. *Permitted Use*. Any use by right authorized in a particular zoning district or districts and subject to the restrictions applicable to that zoning district.
23. *Premises*. A platted lot or part thereof or unplatted lot or parcel of land, either occupied or unoccupied by any structure, and includes any such building, accessory structure, adjoining alley, easement, or drainage way.
24. *Release*. Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (surface water, ground water, drinking water supply, land surface, subsurface strata).
25. *Shop Area*. A production or repair area equipped with tools and machinery.

26. *Storage.* The long term deposit (more than twenty-four hours) of any goods, material, merchandise, vehicles, or junk.

27. *Surface Impoundment.* A natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials) that is not an injection well.

28. *Underground Storage Tank.* Any one or combination of tanks (including underground pipes connected thereto) which is used to contain an accumulation of potential ground water contaminants and the volume of which (including the volume of underground pipes connected thereto) is ten (10) percent or more beneath the surface of the ground. Flow-through process tanks are excluded from the definition of underground storage tanks.

29. *Vehicle or Equipment Repair Area.* An area designated, designed and intended for the purpose of repairing automotive vehicles or equipment.

30. *Well.* A bored, drilled or driven shaft, or a dug hole, whose depth is greater than the largest surface dimension.

C. *Editorial Notes.* Editorial notes provided throughout this ordinance are for information purposes only. Such editorial notes are not to be construed or interpreted as a definition or ordinance provision itself.

CHAPTER III

Sec. 3.00. *Severability.* If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

Sec. 4.00. *Expiration.* This ordinance expires on ~~April 30~~ December 31 July 1, 1996.

SECTION 2. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal any individually initiated rezoning ordinances approved by the City-County Council subsequent to September 2, 1987, and thereafter legally effective (which rezoning by individual legal description have not been mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said Maps in a subsequent map updating amendment hereto).

SECTION 3. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal Airport Zoning Ordinance (94-AO-2, which includes the language of the former Airspace District Zoning Ordinance [62-AO-2] as amended) and the Airspace District Map adopted as part thereof, establishing the Airspace District as a secondary zoning district of Marion County, Indiana.

SECTION 4. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal the Floodway and Floodway District Fringe zoning district boundaries, as adopted under Metropolitan Development Commission docket number 92-AO-7.

SECTION 5. This rezoning shall not supersede, amend or repeal the Regional Center Zoning District boundaries, as adopted under Metropolitan Development Commission docket number 70-AO-3, as amended.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 294, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on April 20, 1995." The Council did not schedule Proposal No. 294, 1995 for

hearing pursuant to IC 36-7-4-608. Proposal No. 294, 1995 was retitled REZONING ORDINANCE NO. 55, 1995 and is identified as follows:

REZONING ORDINANCE NO. 55, 1995. 94-Z-101 DECATUR TOWNSHIP.
COUNCILMANIC DISTRICT # 19
5601 WEST THOMPSON ROAD (approximate address), INDIANAPOLIS.
PEARL M. MILHAUS, by James W. Beatty, requests the rezoning of 15.12 acres, being in the D-A District, to the D-3 classification to provide for single-family residential development.

PROPOSAL NO. 295, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on April 20, 1995." The Council did not schedule Proposal No. 295, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 295, 1995 was retitled REZONING ORDINANCE NO. 56, 1995 and is identified as follows:

REZONING ORDINANCE NO. 56, 1995. 95-Z-12 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 16.
1445-1447 NORTH TIBBS AVENUE and 1444-1448 NORTH GROFF AVENUE (approximate address), INDIANAPOLIS.
AMERICAN STORE PROPERTIES, INC., by J. Murray Clark requests the rezoning of 0.54 acre, being in the D-5 District, to the C-4 classification to provide for a retail commercial development.

PROPOSAL NO. 296, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on April 17, 1995." The Council did not schedule Proposal No. 296, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 296, 1995 was retitled REZONING ORDINANCE NO. 57, 1995 and is identified as follows:

REZONING ORDINANCE NO. 57, 1995. 95-Z-6 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 13
6105 SOUTHEASTERN AVENUE (approximate address), INDIANAPOLIS.
DAVID M. MUNN, by William F. LeMond, requests the rezoning of 2.285 acres, being in the C-3 District, to the C-S classification to provide for the installation of mini-warehousing facility to the rear of an existing fence, deck and patio business.

PROPOSAL NOS. 297-305, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 20, 1995." The Council did not schedule Proposal Nos. 297-305, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 297-305, 1995 were retitled REZONING ORDINANCE NOS. 58-66, 1995 and are identified as follows:

REZONING ORDINANCE NO. 58, 1995. 95-Z-18 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 17
1621 WEST WASHINGTON STREET (approximate address), INDIANAPOLIS.
CARTER LEE LUMBER CO., INC. requests the rezoning of 1.055 acres, being in the D-5 and I-4-U Districts, to the C-7 classification to provide for the expansion of an existing lumber facility.

REZONING ORDINANCE NO. 59, 1995. 95-Z-19 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 17
2530 WEST MORRIS STREET (approximate address), INDIANAPOLIS.
ROBERT DEHARDER, by Thomas Michael Quinn, requests the rezoning of 8.575 acres, being in the C-S District, to the D-5 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 60, 1995. 95-Z-24 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 20

2115 SOUTHPORT ROAD and 23 WEST STREET (approximate address), SOUTHPORT.

G & J ENTERPRISES, by John D. Papageorge, requests the rezoning of 2.9 acres, being in the D-4 and C-7 Districts, to the C-4 classification to provide for the expansion of a furniture store and accessory storage facility.

REZONING ORDINANCE NO. 61, 1995. 95-Z-26 PIKE TOWNSHIP.

COUNCILMANIC DISTRICT # 2.

8403 MICHIGAN ROAD (approximate address), INDIANAPOLIS.

CENTURY DEVELOPMENT COMPANY, by Philip A. Nicely, requests the rezoning of 1.3 acres, being in the C-1 and C-3 Districts, to the C-4 classification to provide for retail commercial development.

REZONING ORDINANCE NO. 62, 1995. 95-Z-32 WARREN TOWNSHIP.

COUNCILMANIC DISTRICT # 5.

9467 EAST 38TH STREET (approximate address), INDIANAPOLIS.

HEALTH & HOSPITAL CORPORATION OF MARION COUNTY, by Thomas Michael Quinn, requests the rezoning of 10.0 acres, being in the SU-1(FF) District, to the C-1(FF) classification to provide for development of a health care center and community center.

REZONING ORDINANCE NO. 63, 1995. 95-Z-37 PIKE TOWNSHIP.

COUNCILMANIC DISTRICT # 2.

8361 MICHIGAN ROAD (approximate address), INDIANAPOLIS.

MEI PROPERTIES, LTD., by Philip A. Nicely, requests the rezoning of 2.09 acres, being in the C-1 District, to the C-3 classification to provide for the expansion of existing retail development.

REZONING ORDINANCE NO. 64, 1995. 95-Z-40 PERRY TOWNSHIP.

COUNCILMANIC DISTRICT # 24.

2707 EAST STOP 11 ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP of Marion County requests the rezoning of 0.5 acre, being in the SU-9 District, to the C-1 classification to provide for office use.

REZONING ORDINANCE NO. 65, 1995. 95-Z-41 WASHINGTON TOWNSHIP.

COUNCILMANIC DISTRICT # 11.

4125 NORTH KEYSTONE AVENUE (approximate address), INDIANAPOLIS.

MILLER EADS CO., INC., by Raymond Good, requests the rezoning of 0.98 acre, being in the C-4 and D-5 Districts, to the C-S classification to provide for an electrical contractor business and other uses permitted within the C-4 District.

REZONING ORDINANCE NO. 66, 1995. 95-Z-44 WARREN TOWNSHIP.

COUNCILMANIC DISTRICT # 12.

2347 NORTH SHADELAND AVENUE (rear) (approximate address), INDIANAPOLIS.

CHARLES L. MONG, III, by Wilson S. Stober, requests the rezoning of 7.219 acres, being in the C-S District, to the C-S classification to provide for a truck leasing and washing facility, associated with an existing trucking terminal.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 165, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 165, 1995 on April 12, 1995. The proposal is an appropriation of \$145,697 for the Superior Court, Juvenile Division/Detention Center, to fund the balance due for the Court/Center computer and to fund various maintenance agreements from the County General Fund balances. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:21 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 165, 1995 was adopted on the following roll call vote; viz:

April 24, 1995

23 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West

2 NAYS: O'Dell, Ruhmkorff

3 NOT VOTING: Beadling, Hinkle, Williams

1 NOT PRESENT: Giffin

Proposal No. 165, 1995 was retitled FISCAL ORDINANCE NO. 33, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 33, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Forty-five Thousand Six Hundred Ninety-seven Dollars (\$145,697) in the County General Fund for purposes of Superior Court, Juvenile Division/Detention Center and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(kk) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Superior Court, Juvenile Division/Detention Center to fund the balance of the Court/Center computer and computer maintenance agreements.

SECTION 2. The sum of One Hundred Forty-five Thousand Six Hundred Ninety-seven Dollars (\$145,697) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	23,556
4. Capital Outlay	<u>122,141</u>
TOTAL INCREASE	145,697

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>145,697</u>
TOTAL REDUCTION	145,697

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 187, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 187, 1995 on March 27, 1995. The proposal is a new appropriation of \$275,000 to pay the County's portion of the Financial Accounting and Management Information System (FAMIS) for the County Auditor financed by reducing the County General Fund balance. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:23 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 187, 1995 was adopted on the following roll call vote; viz:

23 YEAS: Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

1 NAY: McClamroch

4 NOT VOTING: Beadling, Black, Hinkle, Williams

1 NOT PRESENT: Giffin

Proposal No. 187, 1995 was retitled FISCAL ORDINANCE NO. 34, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 34, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Two Hundred Seventy-five Thousand Dollars (\$275,000) in the County General Fund for the County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor to pay the county's portion of the Financial Accounting and Management Information System (FAMIS) upgrade.

SECTION 2. The sum of Two Hundred Seventy-five Thousand Dollars (\$275,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

COUNTY AUDITOR

3. Other Services and Charges
TOTAL INCREASE

COUNTY GENERAL FUND

275,000
275,000

SECTION 4. The said additional appropriation is funded by the following reductions:

COUNTY GENERAL FUND

Unappropriated and Unencumbered
County General Fund
TOTAL REDUCTION

275,000
275,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 189, 1995. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 189, 1995 on April 20, 1995. The proposal is a new appropriation of \$10,955 to pay for capital items needed in the kitchen of the Marion County Children's Guardian Home financed by reducing the County General Fund balance. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:25 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Smith, for adoption. Proposal No. 189, 1995 was adopted on the following roll call vote; viz:

April 24, 1995

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

0 NAYS:

2 NOT VOTING: Hinkle, Williams

1 NOT PRESENT: Giffin

Proposal No. 189, 1995 was retitled FISCAL ORDINANCE NO. 35, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 35, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Ten Thousand Nine Hundred Fifty-five Dollars (\$10,955) in the County General Fund for The purpose of the Marion County Children's Guardian Home and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(yy) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Marion County Children's Guardian Home for capital items needed in the kitchen.

SECTION 2. The sum of Ten Thousand Nine Hundred Fifty-five Dollars (\$10,955) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY CHILDREN'S GUARDIAN HOME</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	<u>10,955</u>
TOTAL INCREASE	10,955

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>10,955</u>
TOTAL REDUCTION	10,955

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

[Clerk's Note: Councillor Giffin was absent at the Parks and Recreation Committee meeting on April 24, 1995, so Councillor Rhodes gave the Committee's reports.]

PROPOSAL NO. 192, 1995. Councillor Rhodes reported that the Parks and Recreation Committee heard Proposal No. 192, 1995 on April 24, 1995. The proposal is a new appropriation of \$170,000 for landscaping, tree trimming, cart path guard rails, a pedestrian bridge and other miscellaneous improvements financed from Park General/Golf Fund balances. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:28 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Schneider, for adoption. Proposal No. 192, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Hinkle, Jimison*

1 NOT PRESENT: *Giffin*

Proposal No. 192, 1995 was retitled FISCAL ORDINANCE NO. 36, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 36, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Seventy Thousand Dollars (\$170,000) in the Park General/Golf Fund for purposes of the Department of Parks and Recreation, Golf Division and reducing the unappropriated and unencumbered balance in the Park General/Golf Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(o) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Department of Parks and Recreation, Golf Division for the completion of the Coffin Golf Course renovation, including landscaping, tree trimming, cart path guard rails, a pedestrian bridge and other miscellaneous improvements.

SECTION 2. The sum of One Hundred Seventy Thousand Dollars (\$170,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PARKS AND RECREATION
GOLF DIVISION

4. Capital Outlays
TOTAL INCREASE

PARK GENERAL/GOLF FUND

\$170,000
\$170,000

SECTION 4. The said additional appropriation is funded by the following reductions:

Unappropriated and Unencumbered
Park General/Golf Fund
TOTAL REDUCTION

PARK GENERAL/GOLF FUND

\$170,000
\$170,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 193, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 193, 1995 on March 21, 1995. The proposal is an appropriation of \$614,755 in Uniform Traffic Tickets receipts between September and December 1994 from qualified drivers for county agencies involved in enforcing the program financed from the Moving Traffic Deferral Fees. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:30 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 193, 1995 was adopted on the following roll call vote; viz:

April 24, 1995

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT PRESENT: *Giffin*

Proposal No. 193, 1995 was retitled FISCAL ORDINANCE NO. 37, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 37, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Six Hundred Fourteen Thousand Seven Hundred Fifty-five Dollars (\$614,755) in Deferral Program Fee Fund for purposes of the County Auditor, County Sheriff, Presiding Judge of the Municipal Court and the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the Deferral Program Fee Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b), (aa), (dd) and (w) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of County Auditor, County Sheriff, Presiding Judge of the Municipal Court, and the Prosecuting Attorney to cover expenses associated with traffic law enforcement between September and December, 1994.

SECTION 2. The sum of Six Hundred Fourteen Thousand Seven Hundred Fifty-five Dollars (\$614,755) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>DEFERRAL PROGRAM FEE FUND</u>
1. Personal Services - fringes	42,143
3. Other Services and Charges	123,478
<u>COUNTY SHERIFF</u>	
2. Supplies	5,301
3. Other Services and Charges	59,000
<u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	
3. Other Services and Charges	51,575
4. Capital Outlay	99,137
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	126,431
3. Other Services and Charges	107,690
TOTAL INCREASE	614,755

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>DEFERRAL PROGRAM FEE FUND</u>
Unappropriated and Unencumbered	
Deferral Program Fee Fund	614,755
TOTAL REDUCTION	614,755

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 194, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 194, 1995 on March 21, 1995. The proposal

is an appropriation for \$78,331 to pay training expenses for the County Sheriff's Department financed by Continuing Education Fund balances. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:31 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 194, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, Shambaugh, Short, Smith, West, Williams

0 NAYS:

2 NOT VOTING: Gray, SerVaas

1 NOT PRESENT: Giffin

Proposal No. 194, 1995 was retitled FISCAL ORDINANCE NO. 38, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 38, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Forty-seven Thousand Five Hundred Ninety-three Dollars (\$47,593) in the Sheriff's Continuing Education Fund for purposes of County Sheriff and reducing the unappropriated and unencumbered balance in the Sheriff's Continuing Education Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(z) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of County Sheriff for training expenses for sheriff deputies.

SECTION 2. The sum of Forty-seven Thousand Five Hundred Ninety-three Dollars (\$47,593) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>SHERIFF'S CONTINUING EDUCATION FUND</u>
3. Other Services and Charges	<u>78,331</u>
TOTAL INCREASE	78,331

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>SHERIFF'S CONTINUING EDUCATION FUND</u>
Unappropriated and Unencumbered	
Sheriff's Continuing Education Fund	<u>78,331</u>
TOTAL REDUCTION	78,331

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 198, 1995. The proposal, sponsored by Councillor Borst, is an appropriation for \$197,600 for the Court Administrator to purchase 38 walk-through metal detectors and up to 38 hand wands for use by those courts and agencies that desire security financed from the County General Fund balances. Councillor Curry asked for consent to

postpone this proposal until May 8, 1995. Proposal No. 198, 1995 was postponed until May 8, 1995 by a unanimous voice vote.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 63, 1995. Councillor Rhodes reported that the Parks and Recreation Committee heard Proposal No. 63, 1995 on March 9, 1995. On March 20, 1995 the Council voted to return it to Committee; and on April 24, 1995 the Committee heard it again. The proposal repeals the White River Greenway Development Board and establishes an Indianapolis Greenways Development Committee. By a 6-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Gray, for adoption.

Councillor McClamroch moved to postpone this proposal until May 8, 1995. This motion was seconded by Councillor Gilmer, and it passed by a unanimous voice vote.

PROPOSAL NO. 105, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 105, 1995 on April 17, 1995. The proposal, sponsored by Councillor Dowden, authorizes the lease of office space located in Center Township for the Department of Public Safety. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Rhodes moved, seconded by Councillor Dowden, to strike. Proposal No. 105, 1995 was stricken by a unanimous voice vote.

PROPOSAL NO. 191, 1995. Councillor Rhodes reported that the Parks and Recreation Committee heard Proposal No. 191, 1995 on April 24, 1995. The proposal amends public hearing requirements with respect to disposal of certain land by the Indianapolis Department of Parks and Recreation. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Jones, for adoption.

Councillor McClamroch moved to postpone Proposal No. 191, 1995 until May 8, 1995. This motion was seconded by Councillor Gilmer, and it passed by a unanimous voice vote.

PROPOSAL NO. 197, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 197, 1995 on April 12, 1995. The proposal is a transfer of appropriations of \$15,561 to finance the preparation by Community Corrections of a comprehensive report on youth identified as being victims or perpetrators of violence financed by reducing other appropriations from the State and Federal Grants Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 197, 1995 was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

2 NAYS: Boyd, Gilmer

1 NOT VOTING: Black

1 NOT PRESENT: Giffin

Proposal No. 197, 1995 was retitled FISCAL ORDINANCE NO. 39, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 39, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Fifteen Thousand Five Hundred Sixty-one Dollars (\$15,561) in the State and Federal Grant Fund for the purpose of Community Corrections Agency and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(aa) (b) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for the purpose of the Community Corrections Agency to prepare a comprehensive report on youth identified as being victims or perpetrators of violence.

SECTION 2. The sum of Fifteen Thousand Five Hundred Sixty-one Dollars (\$15,561) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COMMUNITY CORRECTION AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>15,561</u>
TOTAL INCREASE	15,561

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>COMMUNITY CORRECTION AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	13,619

<u>COUNTY AUDITOR</u>	
1. Personal Services	<u>1,942</u>
TOTAL DECREASE	15,561

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 229, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 299, 1995 on April 18, 1995. The proposal amends the Comprehensive Zoning Maps of Marion County by updating base maps numbers 2, 14, 28, 47, 50, and 51. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Hinkle, for adoption. Proposal No. 229, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Schneider*

1 NOT PRESENT: *Giffin*

Proposal No. 229, 1995 was retitled GENERAL ORDINANCE NO. 58, 1995 and reads as follows:

April 24, 1995

CITY-COUNTY GENERAL ORDINANCE NO. 58, 1995
METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 95-AO-5

A GENERAL ORDINANCE to amend the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County, Indiana, which Ordinance includes the Comprehensive Zoning Maps of Marion County, Indiana, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana, as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana, Ordinances for the zoning or districting of all lands within the County for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Comprehensive Zoning Maps of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 70-AO-4, as amended, pursuant to IC 36-7-4, be further amended to update specifically base maps #2, #14, #28, #47, #50 and #51 of said maps to include subsequent rezonings (which Comprehensive Zoning Maps, as amended, are attached hereto, incorporated herein by reference and made a part of this Ordinance); and all land within the area noted on the four sections of base map #2, the four sections of base map #14, the four sections of base map #28, the four sections of base map #47, the two sections of base map #50, and the one section of base map #51 are hereby classified, divided and zoned in accordance with the zoning district classifications as designated upon said Comprehensive Zoning Maps, as amended, thereby updating said Comprehensive Zoning Maps to include various rezonings by individual legal description or map amendments adopted subsequent to Metropolitan Development Commission docket number 87-AO-2.

SECTION 2. The adoption of the Comprehensive Zoning Maps, as amended, shall not supercede, amend or repeal any individually initiated rezoning ordinances approved by the City-County Council subsequent to October 23, 1994, and thereafter legally effective (which rezoning by individual legal description have not been mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said MAPS in a subsequent map updating amendment hereto).

SECTION 3. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal Airport Zoning Ordinance (94-AO-2, which includes the language of the former Airspace District Zoning Ordinance [62-AO-2] as amended) and the Airspace District Map adopted as a part thereof, establishing the Airspace District as a secondary zoning district of Marion County, Indiana.

SECTION 4. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal the Floodway and Floodway District Fringe zoning district boundaries, as adopted under Metropolitan Development Commission docket number 92-AO-7.

SECTION 5. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

PROPOSAL NOS. 230 and 251, 1995. Councillor West asked for consent to discuss and vote on these two proposals together. Consent was given. PROPOSAL NO. 230, 1995. The proposal affirms the City's intent to comply with the minimum standards of the National Flood Insurance Program. PROPOSAL NO. 251, 1995. The proposal amends Sec. 536-201 of the Revised Code to revise the exemptions permitting certain construction activities in floodways. Councillor West reported that the Metropolitan Development Committee heard Proposal Nos. 230 and 251, 1995 on April 18, 1995. By a 7-0 vote, the Committee reported Proposal No. 230, 1995 to the Council with the recommendation that it do pass. By a 7-0 vote, the Committee reported Proposal No. 251, 1995 to the Council with the recommendation that it do pass as amended. Councillor West moved, seconded by Councillor Smith, for

adoption. Proposal Nos. 230 and 251, as amended, 1995 were adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT PRESENT: Giffin

Proposal No. 230, 1995 was retitled GENERAL RESOLUTION NO. 1, 1995 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 1, 1995

A GENERAL RESOLUTION affirming the City of Indianapolis' intent to comply with the minimum standards of the National Flood Insurance Program.

WHEREAS, the City of Indianapolis and Marion County, Indiana ("City") is a participating community in the National Flood Insurance Program ("NFIP"); and

WHEREAS, participation in the NFIP entitles property owners in the floodway and floodway fringe to purchase federally subsidized flood insurance and entitles the community to federal financial assistance; and

WHEREAS, on February 1, 1995, FEMA notified the City that it will be placed on probationary status with the NFIP on June 15, 1995, unless certain measures are taken prior to that date to correct deficiencies in the City's program; and

WHEREAS, the City is taking the remedial measures FEMA has deemed necessary to avoid probation; and

WHEREAS, one of the measures FEMA requires is that the City adopt a resolution confirming the City's intent to continue to participate in the NFIP; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City of Indianapolis and Marion County, Indiana, hereby affirms its intent to comply with the minimum standards of the National Flood Insurance Program and shall require local compliance with City-County General Ordinance No. 64, 1992, Flood Control Districts Zoning Ordinance of Marion County, as illustrated in part by the building code permit amendments set forth in the attached Proposal No. 251, 1995.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 251, 1995, as amended, was retitled GENERAL ORDINANCE NO. 59, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 59, 1995

A GENERAL ORDINANCE amending Sec. 536-201 of the Revised Code of the Consolidated City and County, to repeal the exemption permitting certain construction activities in floodways.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 536-201 of the Revised Code of the Consolidated City and County be, and is hereby, amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 536-201. When building permits required.

(a) Permit required: No person, partnership or corporation shall engage in any construction activity in the consolidated city unless a written building permit issued by the neighborhood and development services division describing the activity has been obtained by and is in force relative to the person, partnership or corporation which is actually accomplishing, supervising accomplishment or is contractually responsible for accomplishment of the construction activity allowed by the building permit; provided, however, that :

(b) Exemptions for one and two family dwellings: With respect to one or two family residential structures the permit specified in subsection (a) shall not be required for:

- (1) Ordinary maintenance and repair of a structure where the work does not reduce performance or create additional health or safety risks as defined in section 8-12; or
- (2) Installation and replacement of fixtures attached to the walls or floors such as cupboards, cabinets, shelving, railings, tracks, wall and floor coverings, and doors; or
- (3) Installation, maintenance and repair of storm windows and other exterior windows designed and used as protection against severe weather; or
- (4) Replacement of prime windows (limited to like for like in a wall opening of the same dimensions which does not reduce the egress required by code provision existing at the time the building was constructed) so long as the listed contractor files a prescribed written notification form with the neighborhood and development services division prior to the commencement of such services; or a person who owns or is purchasing a residential structure on contract with intention to utilize the property for his or her own occupancy may likewise replace prime windows in such structure; or
- (5) Exterior repair or renovation of a masonry chimney above the roof line that does not reduce the size of the flue opening; or
- (6) Replacement of an existing roof so long as the listed contractor files a prescribed written notification form with the Division of Neighborhood & Development Services prior to the commencement of construction, that does not involve:
 - a. a change in roof configuration; or
 - b. a change in type of roof covering (e.g., tile roofing replacing asphalt shingles) that would increase the dead load on the structure; or
 - c. the replacement of basic structural members that support the roof (e.g., replacement of a rafter or more than 128 square feet of decking); or
 - d. the installation of heat-applied roofing material; or
 - e. a requirement for a certificate of appropriateness in a historical preservation district; or

Additionally, a person who owns or is purchasing a residential structure on contract with the intention to utilize the property for his or her own occupancy may affix without permit a layer of replacement shingles to a single layer of existing shingles provided that a layer of shingles is not removed and provided that the total shingle-roof application is performed by the owner or contract purchaser with assistance only by non-compensated volunteers.

- (7) Gutter replacement or installation; or
- (8) Installation and replacement of exterior siding so long as the listed contractor files a prescribed written notification form with the Division of Neighborhood & Development Services prior to the commencement of construction; additionally, a person who owns or is purchasing a residential structure on contract with the intention to utilize the property for his or her own occupancy may attach without permit a layer of siding to the existing sheathing without removal of existing sheathing, provided that the total siding application is performed by the owner or contract purchaser assisted only by non-compensated volunteers; or
- (9) Attachment of window awnings to exterior walls where the awnings project not more than forty-eight (48) inches from any wall; or

- (10) Installation of thermal insulation; or
- (11) Installation of additional non-load bearing walls that do not result in the creation of sleeping rooms; provided however, permits are required (except as otherwise specifically exempted by provisions of this section) for electrical, heating and cooling, or plumbing work; or
- (12) Replacement of an attic fan, bathroom exhaust fan, range hood exhaust fan or whole house fan ; or
- (13) Construction of a fence in conformance with city zoning requirements and any necessary certificates of appropriateness in a historic district; or
- (14) Construction of an above ground swimming pool thirty (30) inches or less deep and fifteen (15) feet or less at its widest points; or
- (15) Construction of a deck where:
 - a. no part of the floor is more than thirty (30) inches above finished grade; and
 - b. there is compliance with the assessor notification requirement of section 536-215, or
- (16) Erection of retaining walls which are not over four feet in height measured from the lowest finished grade to the top of the wall, unless the walls are supporting a surcharge or used as a dike to impound flammable or combustible liquids or products that pose a health or safety risk (e.g., corrosives, oxidizers, poisons); or
- (17) Construction of a structure which spans one hundred twenty (120) square feet or less of base area, is less than fifteen (15) feet in height, is not placed on or attached to a permanent foundation and does not contain an electrical power distribution system, heating system, space heating equipment, cooling system, or space cooling equipment; or
- (18) Ordinary maintenance and repair of building equipment where the work does not reduce performance or create additional safety or health risks; or
- (19) Installation of a single-phase electric circuit not exceeding sixty (60) amperes at a nominal 120/240 volts which involves the installation, modernization, replacement, service or repair of a heating system, space heating equipment, cooling system, space cooling equipment, a water heater or a food waste disposer for which a building permit has been issued; or
- (20) Installation of household appliances such as window air conditioners, refrigerators, refrigerators with automatic icemakers, ranges, clothes washers, clothes dryers, dishwashers, food waste disposers and trash compactors when such installation does not include the installation of an electrical circuit; or
- (21) Repairs in kind on parts of a plumbing system involving the same performance specifications and capacity, including plumbing fixtures, appliances, piping (but not more than twenty percent (20%) of all piping in the structure), valves, and traps; or
- (22) Replacement of a water heater with one that is identical as to venting arrangement and type of fuel or energy input; or
- (23) Extension of heating or cooling duct work ; or
- (24) Placement of a one-family factory constructed building not on a permanent foundation in a mobile home park licensed by the Indiana State Department of Health; or
- (25) Initial connection or reconnection of plumbing to a mobile home not placed on a permanent foundation located in a mobile home park licensed by the Indiana State Department of Health; or
- (26) Erection of real estate signs advertising real estate for sale or for rent, provided such signs do not exceed twenty-five (25) square feet in area in conformance with the size provisions of the "sign ordinance"; or
- (27) Connection, provision or use of temporary electrical power for on-site construction activity; or

(c) Exemption for commercial construction. With respect to commercial structures, the permits specified in subsection (a) shall not be required for:

- (1) Ordinary maintenance and repair of a structure where the work does not reduce performance or create additional safety or health risks as defined in section 8-12; or
- (2) Installation, maintenance and repair of storm windows and other exterior windows designed and used as protection against severe weather; or
- (3) Attachment of window awnings to exterior walls where the awnings project to more than forty-eight (48) inches from any wall; or
- (4) Painting, papering and similar finish work; or
- (5) Installation of movable cases, counters and partitions not over sixty-nine (69) inches high; or
- (6) Construction or installation of temporary motion picture, television and theater stage sets and scenery; or
- (7) Installation of thermal insulation; or
- (8) Construction of a fence in conformance with city zoning requirements and any necessary certificates of appropriateness in a historic district; or
- (9) Construction of an above ground swimming pool thirty (30) inches or less deep and fifteen (15) feet or less at its widest points; or
- (10) Construction of platforms, walks and driveways not more than thirty (30) inches above grade and not over any basement or story below; or
- (11) Installation of water tanks supported directly upon grade if the capacity does not exceed five thousand (5,000) gallons and the ratio of height to diameter or width does not exceed two (2) to one (1); or
- (12) Erection of oil derricks; or
- (13) Erection of retaining walls which are over four feet in height measured from the lowest finished grade to the top of the wall, unless the walls are supporting a surcharge or used as a dike to impound flammable or combustible liquids or products that pose a health or safety risk (e.g., corrosives, oxidizers, poisons); or
- (14) Construction of a structure which spans one hundred twenty (120) square feet or less of base area, is less than fifteen (15) feet in height, is not placed on or attached to a permanent foundation and does not contain an electrical power distribution system, heating system, space heating equipment, cooling system, or space cooling equipment; or
- (15) Erection of any sign in those categories of signs described in section 8-330 (c) of this chapter; or
- (16) Ordinary maintenance and repair of building equipment where the work does not reduce performance or create additional safety or health risks; or
- (17) Connection, provision or use of temporary electrical power for on-site construction activity; or
- (18) Installation of household appliances such as window air conditioners, refrigerators, refrigerators with automatic icemakers, ranges, clothes washers, clothes dryers, dishwashers, food waste disposers and trash compactors in apartment buildings when such installation does not include the installation of an electrical circuit; or
- (19) Repair in kind on parts of a plumbing system involving the same performance specifications and capacity, including plumbing fixtures, appliances, piping (but not more than twenty percent (20%) of all piping in the structure), valves, and traps; or
- (20) Replacement of a water heater with one that is identical as to venting arrangement and type of fuel or energy input.

(d) Provisions in subsection (b) or (c) that exempt those engaged in certain construction activity from the obligation to secure a building permit do not affect the possible obligation to secure a certificate of appropriateness for construction either in an historic area designated by the Indianapolis Historic Preservation Commission or in the Meridian Street Preservation District designated by the Indiana Code. While a building permit may not be required, a certificate of appropriateness from the Commission may be required in such an area.

(e) With respect to construction activity which is exempted by subsection (b) from the permit required by subsection (a) only if the written notice is given by a listed contractor:

- (1) such written notice shall be given on the forms and in the manner prescribed by the administrator of neighborhood and development services;
- (2) commencement of such construction activity prior to the required written notice shall subject such activity to all the provisions and penalties of this chapter applicable to construction activity conducted without a required permit;
- (3) copies of the written notice shall be posted on the job site in the same manner required for permits issued under this chapter;
- (4) upon receipt of the written notice, the administrator shall notify the owner or occupant, who authorized such construction activity, of the right to an inspection of such activity by the division upon request of that owner or occupant;
- (5) the listed contractor shall notify the division of the completion of such construction activity in the same manner as required by sec. 536-301 for activity for which a permit is required; and
- (6) the listed constructor shall advise the division if such construction activity is not completed in 150 days after such written notice was given.

(f) Provisions in subsection (b) or (c) that exempt those engaged in certain construction activity from obligation to secure a building permit do not affect the possible obligation to secure a floodplain development permit for construction activity in the Flood Control Districts as designated by the Flood Control Districts Zoning Ordinance, General Ordinance No. 64, 1992. While a building permit may not be required, a floodplain development permit may be required in such areas.

SECTION 2. This ordinance shall be in full force and effect from and after adoption and shall apply to any construction activity not commenced prior to such date.

PROPOSAL NO. 232, 1995. The proposal prohibits the use of benefit leave time by County employees prior to its accrual. Councillor Rhodes asked for consent to return Proposal No. 232, 1995 to Committee. Consent was given.

PROPOSAL NO. 234, 1995. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 234, 1995 on April 20, 1995. The proposal is an appropriation of \$59,168 to pay outstanding invoices and cover the shortfall in personal services for the Marion County Healthcare Center financed by transferring other appropriations. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor O'Dell moved, seconded by Councillor Franklin, for adoption. Proposal No. 234, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT VOTING: Hinkle

1 NOT PRESENT: Giffin

Proposal No. 234, 1995 was retitled FISCAL ORDINANCE NO. 40, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 40, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Fifty-nine Thousand One Hundred Sixty-eight Dollars (\$59,168) in the County General Fund to pay outstanding invoices and cover the shortfall in personal services of the Marion County Healthcare Center and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(k) of the City-County Annual Budget for 1995, be, and is hereby amended, by the increases and reductions hereinafter stated for purposes of the Marion County Healthcare Center to pay outstanding invoices and cover the shortfall in personal services.

SECTION 2. The sum of Fifty-nine Thousand One Hundred Sixty-eight Dollars (\$59,168) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY HEALTHCARE CENTER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	4,636
2. Supplies	<u>54,532</u>
TOTAL INCREASE	59,168

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY HEALTHCARE CENTER</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>59,168</u>
TOTAL REDUCTION	59,168

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 237, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 237, 1995 on April 19, 1995. The proposal authorizes the Department of Capital Asset Management to lease its Civil Engineering Lab and certain equipment to Snell Environmental Group, Inc. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Beadling, for adoption. Proposal No. 237, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

2 NAYS: *Curry, Ruhmkorff*

1 NOT PRESENT: *Giffin*

Proposal No. 237, 1995 was retitled SPECIAL RESOLUTION NO. 35, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 35, 1995

A SPECIAL RESOLUTION authorizing the Department of Capital Asset Management to lease its Civil Engineering Lab and certain equipment to Snell Environmental Group, Inc.

WHEREAS, the Department of Capital Asset Management's Civil Engineering Lab does not perform enough tests to justify its investment; and

WHEREAS, the leasing of its Civil Engineering Lab and certain equipment represents an opportunity for the Department of Capital Asset Management to recapture past expenditures; and

WHEREAS, Snell Environmental Group, Inc. desires to lease the Department of Capital Asset Management's Civil Engineering Lab and certain equipment; and

WHEREAS, the City-County Council has investigated the conditions compelling the Department of Capital Asset Management to lease its Civil Engineering Lab and certain equipment;

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council authorizes the Department of Capital Asset Management to lease its Civil Engineering Lab, located at 2001 Martin Luther King Boulevard, and certain equipment to Snell Environmental Group, Inc.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 239, 240, 241, 242, 244, 245 and 246, 1995. Councillor Gilmer asked for consent to discuss and vote on these seven transportation proposals. Consent was given. PROPOSAL NO. 239, 1995. The proposal, sponsored by Councillor Williams, authorizes traffic signals at Senate Boulevard and the entrance to Methodist Hospital (District 22). PROPOSAL NO. 240, 1995. The proposal, sponsored by Councillor Williams, authorizes stop signs at Oriental Street and 11th Street (District 22). PROPOSAL NO. 241, 1995. The proposal, sponsored by Councillor Williams, authorizes a multi-way stop at Arsenal Avenue and 12th Street (District 22). PROPOSAL NO. 242, 1995. The proposal, sponsored by Councillor Rhodes, authorizes a multi-way stop at Briarwood Drive and Sylvan Ridge Drive (District 7). PROPOSAL NO. 244, 1995. The proposal, sponsored by Councillor Black, changes the intersection controls at Park Avenue and 44th Street (District 6). PROPOSAL NO. 245, 1995. The proposal, sponsored by Councillor Gilmer, reduces the speed limit on 86th Street from Lafayette Road to I-465 (District 1). PROPOSAL NO. 246, 1995. The proposal, sponsored by Councillor Gilmer, increases the speed limit on 46th Street from Raceway Road to McCurdy Road (District 1). Councillor Gilmer reported that Proposal Nos. 239, 240, 241, 242, 244, 245 and 246, 1995 were heard by the Capital Asset Management Committee on April 19, 1995. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal Nos. 239, 240, 241, 242, 244, 245 and 246, 1995 were adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT PRESENT: *Giffin*

Proposal No. 239, 1995 was retitled GENERAL ORDINANCE NO. 60, 1995 and reads as follows:

April 24, 1995

CITY-COUNTY GENERAL ORDINANCE NO. 60, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 48	Senate Blvd & Entrance to Methodist Hospital (1750 N)	None	Signal

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 240, 1995 was retitled GENERAL ORDINANCE NO. 61, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 61, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 40	Oriental St & 11th St	None	None

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 40	Oriental St & 11th St	11th St	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 241, 1995 was retitled GENERAL ORDINANCE NO. 62, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 62, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 3	Arsenal Av & 12th St	Arsenal Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 3	Arsenal Av & 12th St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 242, 1995 was retitled GENERAL ORDINANCE NO. 63, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 63, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 2	Briarwood Dr & Sylvan Ridge Dr	Sylvan Ridge Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 2	Briarwood Dr & Sylvan Ridge Dr	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 244, 1995 was retitled GENERAL ORDINANCE NO. 64, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 64, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

April 24, 1995

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 13	Park Av & 44th St	Park Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 13	Park Av & 44th St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 245, 1995 was retitled GENERAL ORDINANCE NO. 65, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 65, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the deletion of the following, to wit:

55 MPH
86th Street, from Lafayette Road to I-465.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the addition of the following, to wit:

45 MPH
86th Street, from Lafayette Road to I-465.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 246, 1995 was retitled GENERAL ORDINANCE NO. 66, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 66, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the deletion of the following, to wit:

30 MPH
46th Street, from Raceway Road to McCurdy Road

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the addition of the following, to wit:

35 MPH

46th Street, from Raceway Road to McCurdy Road

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 11:15 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 24th day of April, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, MAY 8, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:14 p.m. on Monday, May 8, 1995, with Councillor SerVaas presiding.

Councillor Franklin led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

27 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams
2 ABSENT: Giffin, Golc

A quorum of twenty-seven members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Hinkle introduced Denny Smith, owner of Paul E. Smith & Company, and his son, Andrew Paul. Councillor West recognized Aaron York, Sr., York's Quality Air Conditioning & Heating, who is the chairman of the Heating Ventilating & Cooling Contractors Board.

Councillor Shambaugh stated that on Saturday, April 29, 1995, Officer James Hornaday, a Speedway policeman, was shot in the line of duty. Mr. Shambaugh asked all the Councillors to sign a "get well card" that he was going to pass around.

Councillor Hinkle acknowledged the presence of Herman Greenwood, who lives in the Speedway area. Councillor Boyd also recognized Mr. Greenwood, who is the Democratic

candidate for Council in District 8. Mr. Boyd introduced the following Democratic candidates for Council: Jan Skirvin, District 24; Garland Graves, At-Large; Janet DeWitt, District 1; Fred Farrell, At-Large; Sandy Sigmund, District 20; Steve Talley, District 14; and Fred Gaddis, District 12.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, May 8, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

April 25, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, April 27, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 271, 1995, to be held on Monday, May 8, 1995, at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

May 4, 1995

Robert G. Elrod, General Counsel
241 City-County Building
200 East Washington Street
Indianapolis, IN 46204

Re: Zoning Ordinance Amendment 95-AO-6 (Wellfield Protection Zoning Ordinance)
(General Ordinance No. 57, 1995)

Dear Bob:

This letter is official notification that the Metropolitan Development Commission, at its May 3, 1995 meeting, considered Zoning Ordinance Amendment 95-AO-6 (General Ordinance No. 57, 1995) as amended and adopted by the City-County Council on April 24, 1995. The Commission, by a vote of 9-0, did ratify and adopt the Council's amended version of the legislation.

Sincerely,
s/ J. June Dugan
Administrator
Neighborhood and Development Services Division

May 8, 1995

May 1, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

GENERAL ORDINANCE NO. 59, 1995 - amending Sec. 536-201 of the Revised Code to revise the exemptions permitting certain construction activities in floodways

GENERAL ORDINANCE NO. 60, 1995 - authorizes traffic signals at Senate Boulevard and the entrance to Methodist Hospital (District 22)

GENERAL ORDINANCE NO. 61, 1995 - authorizes stop signs at Oriental Street and 11th Street (District 22)

GENERAL ORDINANCE NO. 62, 1995 - authorizes a multi-way stop at Arsenal Avenue and 12th Street (District 22)

GENERAL ORDINANCE NO. 63, 1995 - authorizes a multi-way stop at Briarwood Drive and Sylvan Ridge Drive (District 7)

GENERAL ORDINANCE NO. 64, 1995 - changes the intersection controls at Park Avenue and 44th Street (District 6)

GENERAL ORDINANCE NO. 65, 1995 - reduces the speed limit on 86th Street from Lafayette Road to I-465 (District 1)

GENERAL ORDINANCE NO. 66, 1995 - increases the speed limit on 46th Street from Raceway Road to McCurdy Road (District 1)

FISCAL ORDINANCE NO. 35, 1995 - a new appropriation of \$10,955 to pay for capital items needed in the kitchen of the Marion County Children's Guardian Home financed by reducing the County General Fund balance

FISCAL ORDINANCE NO. 36, 1995 - a new appropriation of \$170,000 for landscaping, tree trimming, cart path guard rails, a pedestrian bridge and other miscellaneous improvements financed from Park General/Golf Fund balances

FISCAL ORDINANCE NO. 39, 1995 - a transfer of appropriations of \$15,561 to finance the preparation by Community Corrections of a comprehensive report on youth identified as being victims or perpetrators of violence financed by reducing other appropriations from the State and Federal Grants Fund

FISCAL ORDINANCE NO. 40, 1995 - an appropriation of \$59,168 to pay outstanding invoices and cover the shortfall in personal services for the Marion County Healthcare Center financed by transferring other appropriations

GENERAL RESOLUTION NO. 1, 1995 - affirms the City's intent to comply with the minimum standards of the National Flood Insurance Program

SPECIAL RESOLUTION NO. 28, 1995 - recognizing Indiana's "Mr. Basketball," Damon Frierson

SPECIAL RESOLUTION NO. 29, 1995 - recognizing the 25th Anniversary of Public Broad-casting in Indianapolis

SPECIAL RESOLUTION NO. 31, 1995 - recognizing the Indiana Pacers and the Landmark to Peace

SPECIAL RESOLUTION NO. 32, 1995 - recognizing the National Day of Prayer

SPECIAL RESOLUTION NO. 33, 1995 - supporting the AMTRAK Beech Grove facility

SPECIAL RESOLUTION NO. 34, 1995 - an Inducement Resolution for Willowbrook Park, L.P., a to-be-formed Indiana limited partnership, to proceed with the acquisition, renovation and equipping of the existing 385 unit multi-family residential rental project located at 4803 Round Lake Road on approximately 28.44 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 7)

SPECIAL RESOLUTION NO. 35, 1995 - authorizes the Department of Capital Asset Management to lease its Civil Engineering Lab and certain equipment to Snell Environmental Group, Inc.

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of April 24, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

Councillor Ruhmkorff stated that last year the council recognized Melanie Wood, a brilliant math student at Warren Township's Stonybrook Middle School. As a follow-up Ms. Wood has just placed 10th in the National Mathcounts Contest and earned a first place in the State Teachers of Mathematics Geometry Contest. She has taken the S.A.T. and scored a perfect 800 in the math section. She is only fourteen years old and an eighth grader. Councillor Ruhmkorff said that she is very proud to recognize Ms. Wood again.

PROPOSAL NO. 335, 1995. This proposal, sponsored by Councillors Coughenour and Williams, recognizes Municipal Government Week. Councillor Coughenour read the resolution and moved for its adoption. Councillor Williams seconded the motion, and Proposal No. 335, 1995 was adopted by unanimous voice vote.

Proposal No. 335, 1995 was retitled SPECIAL RESOLUTION NO. 36, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 36, 1995

A SPECIAL RESOLUTION recognizing Municipal Government Week.

WHEREAS, Indianapolis was incorporated in 1832 with the intention of meeting the needs of Indianapolis citizens; and

WHEREAS, municipal government is the closest form of government to the people and is best able to meet the people's needs; and

WHEREAS, in order to thrive, it is vital to a city to foster understanding between local officials and the citizens which they serve; and

WHEREAS, municipal government officials play a key role in the democratic process in America; and

WHEREAS, Municipal Government Week is an important time to recognize the critical role played by city government in our lives; and

WHEREAS, the Governor has proclaimed the week of May 7-13 as Municipal Government Week; and

May 8, 1995

WHEREAS, this week offers an important opportunity to spread the word to all the citizens of Indiana that they can shape and influence this branch of government which is closest to the people; and

WHEREAS, municipal government provides the essential public services on which citizens rely; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council does hereby participate in Municipal Government Week with the passage of this resolution.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Gilmer asked for a moment of silence in recognition of the 50th anniversary of V-E Day.

PROPOSAL NO. 215, 1995. The proposal reappoints Claudia Prosser to the Indianapolis City-Market Corporation Board. PROPOSAL NO. 268, 1995. The proposal reappointing Ray Battey to the City-County Administrative Board. PROPOSAL NO. 272, 1995. The proposal reappoints William B. Powers to the Citizens Police Complaint Board. PROPOSAL NO. 274, 1995. The proposal reappoints Fred G. Johnston, Jr. to the Board of Ethics. Councillor McClamroch read the proposals and moved for their adoption. Councillor Short seconded the motion, and they passed by a unanimous voice vote.

Proposal No. 215, 1995 was retitled COUNCIL RESOLUTION NO. 48, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 48, 1995

A COUNCIL RESOLUTION reappointing Claudia Prosser to the Indianapolis City-Market Corporation Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis City-Market Corporation Board, the Council appoints:

Claudia Prosser

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 268, 1995 was retitled COUNCIL RESOLUTION NO. 49, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 49, 1995

A COUNCIL RESOLUTION reappointing Ray Battey to the City-County Administrative Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City-County Administrative Board, the Council appoints:

Ray Battey

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 272, 1995 was retitled COUNCIL RESOLUTION NO. 50, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 50, 1995

A COUNCIL RESOLUTION reappointing William B. Powers to the Citizens Police Complaint Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

William B. Powers

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 274, 1995 was retitled COUNCIL RESOLUTION NO. 51, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 51, 1995

A COUNCIL RESOLUTION reappointing Fred G. Johnston, Jr. to the Board of Ethics.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Ethics, the Council appoints:

Fred G. Johnston, Jr.

SECTION 2. The appointment made by this resolution is for a term ending April 13, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 307, 1995. Introduced by Councillors Smith and Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay for salary increases for the Information Services Agency financed by revenues from the Information Services Internal Services Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 308, 1995. Introduced by Councillors Smith and Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay salary increases for the County Assessor and the nine Township Assessors financed by revenues from the Property Reassessment Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 309, 1995. Introduced by Councillors Smith and Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay salary increases for all the County agencies financed by revenues from the County General Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 310, 1995. [Withdrawn]

PROPOSAL NO. 311, 1995. Introduced by Councillors Smith and Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay salary increases for the Metropolitan Emergency Communications Agency financed by revenues from the Metropolitan Emergency Communications Agency Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 312, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation of \$108,000 for the Office of Youth and Family Services to provide services for families or individuals at risk of being homeless financed by additional federal grants"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 313, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which appropriates an additional \$2,814,548 in Community Block Grant funds for redevelopment block grant activities financed by additional grants"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 314, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which appropriates an additional \$2,814,548 of Community Development Block Grant funds for the Redevelopment General Fund for block grant activities: economic development, public services, housing, public improvements and support services financed by grant funds"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 315, 1995. Introduced by Councillors Schneider, McClamroch and Dowden. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION which appoints James E. Logsdon to the Indianapolis-Marion County Public Library Board;" and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 316, 1995. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes intersection controls for the Robertson Village subdivision (District 2)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 317, 1995. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes stop signs at 44th Street and Paula Lane East Drive (District 2)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 318, 1995. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes multi-way stops at

Deer Creek Avenue and Deer Creek Drive and at Deer Creek Drive, McCarty Court and Callan Drive (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 319, 1995. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes a multi-way stop at 44th Street and Park Avenue (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 320, 1995. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes a multi-way stop at Washington Boulevard and 32nd Street (Districts 6, 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 321, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes a multi-way stop at 53rd Street and Guilford Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 322, 1995. Introduced by Councillors Rhodes and Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes a multi way stop at 51st Street and Park Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 323, 1995. Introduced by Councillor Mullin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes a multi-way stop at Delaware Street and Griffin Road (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 324, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes a multi-way stop at Wallace Avenue and 13th Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 325, 1995. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes a multi-way stop at Sleet Drive and Somers Drive (District 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 326, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which prohibits parking on Dr. Martin Luther King Jr. Street from 11th Street to 12th Street on the east side and from 10th Street to 12th Street on the west side (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 327, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which removes the parking

restrictions on the west side of Delaware Street from 28th Street to 32nd Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 328-329, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 4, 1995." The Council did not schedule Proposal Nos. 328-329, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 328-329, 1995 were retitled REZONING ORDINANCE NOS. 67-68, 1995 and are identified as follows:

REZONING ORDINANCE NO. 67, 1995. 92-Z-109A PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 1.
8701 and 8702 LAFAYETTE ROAD (approximate address), INDIANAPOLIS.
RESIDENTS OF THE NORTHWEST AREA OF PIKE TOWNSHIP request the rezoning of 221.0 acres, being in the D-1, D-2 and DA Districts, to the D-S classification to conform the zoning to the existing developments.

REZONING ORDINANCE NO. 68, 1995. 92-Z-109B PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 1.
8702 LAFAYETTE ROAD (approximate address), INDIANAPOLIS.
RESIDENTS OF THE NORTHWEST AREA OF PIKE TOWNSHIP request the rezoning of 38 acres, being in the D-2 district, to the D-1 classification to conform the zoning to the existing developments.

PROPOSAL NOS. 330-331, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 4, 1995." The Council did not schedule Proposal Nos. 330-331, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 330-331, 1995 were retitled REZONING ORDINANCE NOS. 69-70, 1995 and are identified as follows:

REZONING ORDINANCE NO. 69, 1995. 95-Z-35 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 24.
4784 EAST EDGEWOOD AVENUE (approximate address), INDIANAPOLIS.
TIMBER GROVE, INC., by Michael J. Kias, requests the rezoning of 19.99 acres, being in the D-A district, to the D-3 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 70, 1995. 94-Z-43 (Amended) LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 5.
11875 PENDLETON PIKE (approximate address), LAWRENCE.
ACMG, INC., by Edward Williams, requests the rezoning of 5.32 acres, being in the C-3 and D-A districts, to the C-3 classification to provide for commercial development.

PROPOSAL NOS. 332-334, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 4, 1995."

Councillor Smith made the following motion:

Mr. President:

I move that Proposal No. 333, 1995 (Rezoning Case 95-Z-30) be scheduled for a hearing before this Council at its next regular meeting on May 22, 1995 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

This motion passed by a unanimous voice vote. Proposal No. 333, 1995 is identified as follows:

95-Z-30 FRANKLIN TOWNSHIP.
COUNCILMANIC DISTRICT # 23.
7601 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.
CROSSMAN COMMUNITIES PARTNERSHIP, by Stephen D. Mears, requests the rezoning of 237.77 acres, being in the I-2-S(FF) and I-4-S districts, to the D-3(FF) classification to provide for residential development.

Robert G. Elrod, General Counsel, made the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 95-Z-30, Council Proposal No. 333, 1995, at its next regular meeting on May 22, 1995, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 237.77 acres at 7601 East Thompson Road from I-2-S(FF) and I-4-S to D-3(FF) to provide for residential development.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

The Council did not schedule Proposal Nos. 332 and 334, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 332 and 334, 1995 were retitled REZONING ORDINANCE NOS. 71-72, 1995 and are identified as follows:

REZONING ORDINANCE NO. 71, 1995. 95-Z-7 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 21.
1106, 1108, 1110, 1116-1118 PROSPECT STREET and 1033 SHELBY STREET (approximate address), INDIANAPOLIS.
NORLE INVESTMENTS, INC., by Joseph M. Scimia, requests the rezoning of 0.42 acre, being in the I-3-U district, to the C-3C classification to conform zoning to existing commercial uses.

REZONING ORDINANCE NO. 72, 1995. 95-Z-23 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT # 4.
5702 ALLISONVILLE ROAD (approximate address), INDIANAPOLIS.
JAMES R. and SUSAN L. RUGGLES, by Steven C. Robinson, request the rezoning of 5.2 acres, being in the D-A district, to the D-1 classification to provide for single-family residential development.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 69, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 69, 1995 on January 25, 1995. The proposal is the transfer of \$310,000 from the County General Fund to the Supplemental Public Defender Fund to make up the 1994 revenue shortfall in the Supplemental Public Defender Fund. By a 5-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:39 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 69, 1995 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
3 NAYS: *Hinkle, O'Dell, Rhodes*
1 NOT VOTING: *Black*

May 8, 1995

2 NOT PRESENT: Giffin, Golc

Proposal No. 69, 1995 was retitled FISCAL ORDINANCE NO. 41, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 41, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Three Hundred Ten Thousand Dollars (\$310,000) in the County General Fund for purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for transfer of funds the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of funding the 1994 shortfall in the Supplemental Public Defender Fund.

SECTION 2. The sum of Three Hundred Ten Thousand (\$310,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>SUPPLEMENTAL PUBLIC DEFENDER FUND</u>
1. Transfer IN	<u>310,000</u>
TOTAL INCREASE	310,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered County General Fund	
1. Transfer OUT	<u>310,000</u>
TOTAL REDUCTION	310,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 115, 1995. The proposal, sponsored by Councillor Franklin, is an appropriation of \$21,175 for the Superior Court, Criminal Division, Room Five, to fund a clerk's salary financed from the County General Fund balances. Councillor Dowden asked for consent to postpone Proposal No. 115, 1995 until June 12, 1995. Consent was given.

PROPOSAL NO. 198, 1995. The proposal, sponsored by Councillor Borst, is an appropriation for \$197,600 for the Court Administrator to purchase 38 walk-through metal detectors and up to 38 hand wands for use by those courts and agencies that desire security financed from the County General Fund balances. Councillor Curry asked for consent to return Proposal No. 198, 1995 to Committee. Consent was given.

PROPOSAL NO. 271, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 271, 1995 on April 26, 1995. The proposal, sponsored by Councillor Borst, is an appropriation of \$240,000 for new laboratory instrumentation and supplies and to provide various travel/training fees to upgrade Forensic Services Agency's capability in drug and drug-related analysis financed by additional grant revenues of the State and Federal Grants Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:47 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 271, 1995 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, Williams*
1 NAY: *Black*
1 NOT VOTING: *West*
2 NOT PRESENT: *Giffin, Golc*

Proposal No. 271, 1995 was retitled FISCAL ORDINANCE NO. 42, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 42, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Two Hundred Forty Thousand Dollars (\$240,000) in the State and Federal Grants Fund for purposes of the Forensic Service Agency's and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(y) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Forensic Service Agency to acquire new laboratory instrumentation, laboratory supplies, and cover various travel/training fees to upgrade the agency's capability in drug and drug related analysis.

SECTION 2. The sum of Two Hundred Forty Thousand Dollars (\$240,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>FORENSIC SERVICES AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
2. Supplies	30,000
3. Other Services and Charges	27,000
4. Capital Outlay	<u>183,000</u>
TOTAL INCREASE	240,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants	<u>240,000</u>
TOTAL REDUCTION	240,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - UNFINISHED BUSINESS

[Clerk's Note: In Councillor Giffin's absence, Councillor Rhodes gave the Parks and Recreation Committee reports.]

PROPOSAL NO. 63, 1995. Councillor Rhodes reported that the Parks and Recreation Committee heard Proposal No. 63, 1995 on April 24, 1995. The proposal repeals the White River Greenway Development Board and establishes an Indianapolis Greenways Development Committee. By a 6-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Jones, for adoption.

Councillor Schneider asked Ray Irvin, Administrator of Greenways, Indianapolis Department of Parks and Recreation, if this agency will stand in the way of further development in Marion County. Mr. Irvin replied that it is not the intent of the Greenways Committee to be a land use or zoning board. It is an advisory committee to the Parks Board. Councillor Black questioned if this will be a bi-partisan board. Mr. Irvin replied that the members will be appointed by the Council, the Mayor, and the Parks Board. Councillor Gilmer asked if most of the land for future trailways is privately owned. Mr. Irvin replied that over ninety percent of the land for future trail development is public land.

Proposal No. 63, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

2 NOT PRESENT: Giffin, Golc

Proposal No. 63, 1995 was retitled GENERAL ORDINANCE NO. 67, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 67, 1995

A GENERAL ORDINANCE amending Chapter 261 of the Revised Code of the Consolidated City and County to establish an Indianapolis Greenways Development Committee and repealing Chapter 282 of the Revised Code of the Consolidated City and County.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter ~~282~~ 261 of the Revised Code of the Consolidated City and County is hereby amended by adding ~~Article III~~ Sec. 261-31 through Sec. 261-41 to read as follows:

Sec. ~~282~~261-31. ~~Board~~ Committee established.

There is hereby ~~created~~ established the Indianapolis Greenways Development ~~Board~~ Committee.

Sec. ~~282~~261-32. Objective.

The Indianapolis Greenways Development ~~Board~~ Committee shall counsel and advise the Board of Indianapolis Department of Parks and Recreation ~~Board~~ to encourage use, preservation and improvement of the Indianapolis Greenways with regard to present and future operations, development, recreation and its natural environment.

Sec. ~~282~~261-33. Duties.

The Indianapolis Greenways Development ~~Board~~ Committee shall perform the following duties:

- (1) ~~To Request~~ grants and in-kind support from the White River Greenways Foundation, Inc., and other support organizations for selected greenways-related projects;

- (2) ~~To Review~~ greenways projects, guidelines and grants, and provide comments to the Indianapolis Department of Parks and Recreation, the Indianapolis Department of Parks and Recreation Board and to other appropriate agencies and organizations;
- (3) ~~To Assist~~ in identifying appropriate groups for adoption of segments of the Indianapolis greenways, matching appropriate adoptive groups to the interest and needs of neighborhoods and communities for stewardship of adoptive areas;
- (4) ~~To Assist~~ in determining and developing appropriate recreation and event usage guidelines for the Indianapolis greenways system; and
- (5) ~~To Advocate~~ and promote the Indianapolis greenways system based upon the Indianapolis Greenways Master Plan.

Sec. ~~282~~261-34. Members.

~~(a) Appointments to the board~~ The committee shall be consist of fifteen (15) voting members and one (1) non-voting member appointed as follows:

- (1) Five (5) ~~voting~~ members of the ~~board~~ committee shall be appointed by the mayor ~~of the City of Indianapolis, one of whom shall be designated as vice-chairperson.~~
- (2) Five (5) ~~voting~~ members of the ~~board~~ committee shall be appointed by the city-county council, one of whom shall be designated as secretary.
- (3) Four (4) ~~voting~~ members of the committee shall be appointed by the board of Indianapolis Department of Parks and Recreation board, one of whom shall be designated as chairperson.
- (4) One (1) ~~voting~~ member of the committee shall be appointed by the director of the Indianapolis Department of Parks and Recreation to represent a not-for-profit local greenways 501(c)(3) organization.
- (5) The director of the Indianapolis Department of Parks and Recreation or his or her designee shall ~~serve as~~ be a non-voting member.

~~(b)~~ A ~~board~~ committee member who is eligible to vote but who attends fewer than fifty (50) percent of the regular meetings during the member's appointment shall not be eligible for re-appointment to the ~~board~~ committee for twelve (12) months after the expiration of his or her term.

Sec. ~~282~~ 35. ~~Qualifications.~~

~~Board membership eligibilities are:~~

~~(c)~~ Only persons who are

~~(1) Members must be~~ at least eighteen (18) years of age; and

~~(2) Members shall be residents of Marion County who are interested in the objectives of the Indianapolis greenways development board~~ shall be eligible for membership on the committee.

~~(3d) Voting m~~Members shall represent the interests of the community, businesses and ~~at least one (1) of the greenway corridors, identified as: property owners.~~

~~(e)~~ At least one member appointed by each appointing authority shall represent one of the following greenway corridors:

B & O Rail Corridor
Buck Creek
Crooked Creek
Eagle Creek
Fall Creek
Grassy Creek

May 8, 1995

Indianapolis Water Company Canal
Indian Creek
Monon Rail Corridor
Mud Creek
Pleasant Run
White Lick Creek
White River

~~(4) One (1) voting member shall represent a not-for-profit local greenways 501(c)(3) organization.~~

Sec. ~~282261-36~~35. Terms of appointment.

~~(2a) In the making of initial appointments, three (3) of the mayor's appointees shall be for a two (2) year term, two (2) of the city-county council's appointees shall be for a two (2) year term, and two (2) of the parks and recreation board's appointees shall be appointed for a two (2) year term ending December 31, 1997. All other initial appointments shall be appointed for terms ending December 31, 1999.~~

~~(4b) A board~~ After the initial appointments members shall be appointed for a term of four (4) years, and shall serve at the pleasure of the ~~appointer~~ appointing authority.

~~(3c) A board committee~~ member may resign from the ~~board committee~~ at any time.

~~(4d) The board committee~~ shall request the authority who appointed any member who does not attend fifty (50) percent of the ~~board committee~~ meetings in any calendar year to have that member replaced.

Sec. ~~282261-36~~36. Vacancies.

~~(4a) Vacancies occurring on the board committee, either by voluntary or involuntary resignation, incapacity, expulsion or death, shall be filled in a timely manner by the authority who appointed the member whose vacancy must be filled.~~

~~(2b) A board committee member appointed to replace another board member before completion of his or her term fill a vacancy shall be appointed for serve the remainder of the unexpired term of the member being replaced.~~

Sec. ~~282261-37~~37. Officers.

~~(4a) The officers of the board committee~~ shall be a chairperson, a vice-chairperson and a secretary.

~~(2) Only voting members of the board may be an officer.~~

~~(3) No board member may hold more than one office at a time.~~

Sec. ~~282261-38~~38. Annual elections.

~~(1) Election of officers shall occur at the first regular meeting of the board each calendar year.~~

~~(2) The Indianapolis Department of Parks and Recreation board shall nominate the chairperson.~~

Sec. ~~282261-39~~39. Officers' Terms of office.

~~(1) Each officer shall be elected to serve a one (1) year term upon a simple majority vote of the voting board members who are present and voting.~~

~~(2) Balloting for each office shall be by written secret ballot unless only one nomination is made for that office.~~

~~(3) Officers shall assume the duties of that office immediately upon election.~~

~~(4) Each officer shall be limited to two (2) consecutive terms in any specific office.~~

Sec. ~~282261-40~~40. Removal of officers.

~~(1) Upon proper notification to the concerned officer, and timely notification via documentable means of appropriate action to be taken, the board may remove and replace any officer by a simple majority vote to the total board membership by written ballot at any regularly scheduled meeting.~~

~~(2) While appropriate action as described above may be taken on an as-needed basis, such action will be deemed necessary if an officer misses three (3) consecutive meetings without adequate cause.~~

Sec. ~~282261-41~~. Officer vacancies.

~~(1b) A vacancy in any office shall be filled by an election at any scheduled board meeting the appointing authority under Sec. 261-34.~~

~~(2) The officer shall be elected by a simple majority of the members present and voting, and shall serve the remainder of the predecessor's term.~~

Sec. ~~282261-42~~38. Officer duties.

~~(1a)~~ The chairperson:

~~(a1)~~ The chairperson shall preside over all ~~board~~ committee meetings.

~~(b2)~~ The chairperson shall be recognized as the chief representative of the ~~board~~ committee, but when speaking on the ~~board's~~ committee's behalf, shall express only the positions specifically determined by the ~~board~~ committee.

~~(2b)~~ The vice-chairperson:

The vice-chairperson shall assume the responsibilities of the chairperson and/or the secretary in either's absence.

~~(3c)~~ The secretary:

~~(a1)~~ The secretary, with the assistance of an employee of the Indianapolis department of parks and recreation appointed by the director, will keep a true and complete record of the minutes of each ~~board~~ committee meeting.

~~(b2)~~ The secretary shall sign the minutes and make them available for inclusion in the next general mailing to all ~~board~~ committee members.

~~(e3)~~ The secretary shall be responsible for keeping all ~~board~~ committee members apprised of the actions and official positions taken by the ~~board~~ committee.

~~(d4)~~ The secretary shall keep a current roll of all members, which shall consist of member's names, current addresses and telephone numbers and appointing authority.

~~(e5)~~ The secretary shall keep attendance records of members at ~~board~~ committee meetings, and such attendance records shall be presented to the ~~board~~ committee at the last scheduled regular meeting of each calendar year.

Sec. ~~282261-43~~39. Meetings.

~~(1a)~~ Regular meetings ~~board meetings~~ of the committee shall be held regularly at least once monthly.

~~(2b)~~ Special meetings ~~special meetings~~ of the committee may be called by the executive committee.

~~(3c)~~ Notice ~~a~~ A written notice of the location, date, time and agenda of each meeting shall be mailed to each board member at least ~~two (2) days~~ forty-eight hours (excluding Saturdays, Sundays and holidays) prior to a scheduled regular meeting ~~date~~, and ten (10) days before a special meeting ~~date~~.

Sec. ~~282261-43~~40. Quorum and voting.

~~(1a)~~ The presence of nine (9) voting members shall constitute a quorum at any ~~called~~ meeting.

(2b) Each voting member shall be entitled to one (1) vote on each matter submitted for the board's committee's determination.

(3c) All voting must be in person, and ~~not by~~ no proxy shall be recognized.

(4d) A quorum must exist for any valid vote. If a quorum is present, the vote of a majority of the voting members present shall be deemed action by the committee ~~board as a whole~~. A tie vote shall not be deemed action taken by the committee ~~board as a whole~~.

Sec. ~~282261-4341~~. Subcommittees.

(4a) Executive subcommittee:

(a1) The executive committee shall be comprised of the three (3) officers of the board.

(b2) The executive subcommittee shall provide for continuity between meetings of the ~~board~~ committee and may take any appropriate action as necessary.

(c3) To be valid as an expression of the ~~board~~ committee, actions of the executive subcommittee must be ratified by a majority vote of the ~~board~~ committee at its next meeting.

(b) The ~~board~~ committee may designate other subcommittees ~~with and delegate to such subcommittee~~ such responsibilities and powers of the committee as the ~~board~~ committee may specify.

SECTION 2. Chapter 282 of the Revised Code of the Consolidated City and County is hereby amended by deleting Article III as follows:

~~Sec. 282-31. Legislative intent.~~

~~White River flows for thirty-one and three-tenths (31.3) miles through the heart of the county, thus it is beneficial for the citizens of this community that White River and its banks become a source of beauty and pride. For the past three (3) years a White River improvement task force has worked to inventory the river, help conduct a series of successful riverbank cleanups and has labored to develop a strategic long range plan to transform the river into an object of good health, safety, beauty and pride. The council desires to assist this group of public spirited citizens by creating this board.~~

~~Sec. 282-32. Board created.~~

~~There is hereby created a White River greenway development board which initially shall be a continuation of the committee existing pursuant to council Special Resolution 119, 1991.~~

~~Sec. 282-33. Powers and duties.~~

~~The board shall continue the work of the previous White River improvement task force, shall be eligible to contract for public and private funds to help accomplish its strategic goal of maintaining and improving White River within the county, may enter into mutually beneficial nonfinancial agreements with government agencies and with private entities, and shall encourage and help organize others for action to improve White River.~~

~~Sec. 282-34. Membership and officers.~~

~~(a) The board shall be comprised of sixteen (16) members: fourteen (14) members appointed annually by the city-county council to serve at its pleasure, one (1) appointed by the director of the department of public works and one (1) appointed by the director of the department of parks and recreation.~~

~~(b) The board shall elect appropriate officers from among its members.~~

~~Sec. 282-35. Cooperation with agencies.~~

~~The board shall cooperate with all affected and interested agencies, including the city department of public works and the city department of parks and recreation, which shall likewise afford the White River greenway development board all due assistance within their staff and budget limitations.~~

~~Sec. 282-36. Reports.~~

~~The board shall prepare an annual report of its activities and other relevant information by January thirty-first to the mayor, the city department of public works, the city department of parks and recreation and to the city-county council.~~

~~Sec. 282-37. Sunset.~~

~~The board established by this article shall cease to exist after January 31, 1998, unless the city-county council affirmatively acts to continue the board.~~

SECTION 3. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 191, 1995. Councillor Rhodes reported that the Parks and Recreation Committee heard Proposal No. 191, 1995 on April 24, 1995. The proposal amends public hearing requirements with respect to disposal of certain land by the Indianapolis Department of Parks and Recreation. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Gray, for adoption. Proposal No. 191, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT PRESENT: *Giffin, Golc*

Proposal No. 191, 1995 was retitled GENERAL ORDINANCE NO. 68, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 68, 1995

A GENERAL ORDINANCE amending the section of the Revised Code concerning the Resources Development Division of the Indianapolis Department of Parks and Recreation.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 241-501 of the "Revised Code of the Consolidated City and County" be, and is hereby amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-501. Resources development division.

The resources development division shall:

- (1) Coordinate all property transactions for the park district;
- (2) Provide stewardship of natural resource areas within the park district;

- (3) Oversee the administration of all grants;
- (4) Manage the planning, design and construction of parks and facilities and administer the capital improvement program and the resource development model; and
- (5) Develop and manage the Indianapolis Greenways System; and
- (6) ~~Be responsible that~~ Before any city-owned park land (defined herein as real estate which is currently being used as a public park or is designated for such use in the comprehensive plan approved by the Parks Board, but excluding park land legally designated as surplus property) is disposed of ~~or released~~ for any purpose other than its intended use as a park, there shall be a special notice and mailing to residents in the area around the park, and ~~that a special public hearing shall be held~~ be required with no less than four (4) weeks advance notice to citizens in the park's vicinity. Such notice shall be given by first class mail addressed to the owners of real estate adjacent to the park in question to a depth of two ownerships or six hundred feet, which ever is less, as determined from the records of the township assessor, and by publication as required under IC 5-3-1-2(b). The foregoing notice and public hearing requirements shall not apply, however, to disposals of city-owned park land as a result of the following:

(a) Grants of right-of-ways, easements, rights of entry, use permits, licenses and the like;

(b) Exchanges with or transfers to other governmental entities; or

(c) Leases.

SECTION 2. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does to affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 98, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 98, 1995 on April 25, 1995. The proposal determines the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Metropolitan Development ("DMD"). Councillor West explained that DMD needs the additional space for its construction inspectors. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Hinkle, for adoption.

Councillor Moriarty Adams asked how many employees will be moving to 600 North Sherman Drive. Councillor West replied that the move involves twenty-seven employees.

Councillor Hinkle asked Elaine Bedel, Director, DMD, when the realignment of personnel and the move will be completed. Ms. Bedel said that the process should be completed by the end of June. The DMD inspection group has moved out to 600 North Sherman and is working closely with Department of Capital Asset Management ("DCAM") inspectors already located there. Councillor Hinkle asked when these restructuring changes will come before

the Council for official ratification. Ms. Bedel said that an ordinance will be introduced prior to budget. Councillor Hinkle said there should be public debate about this change. He does not question the change, but questions the process.

Councillor Beadling stated that she does not believe that field inspectors need individual office space.

Councillor Coughenour voiced her support of this move.

Councillor Short called for the question. Proposal No. 98, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

1 NAY: Borst

2 NOT PRESENT: Giffin, Golc

Proposal No. 98, 1995 was retitled SPECIAL RESOLUTION NO. 37, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 37, 1995

A SPECIAL RESOLUTION determining the need to lease of office space at Thomson Consumer Electronics, 600 North Sherman Drive, Indianapolis, IN 46201, for the Department of Metropolitan Development.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines the lease of office space for the use of the Department of Metropolitan Development is necessary.

SECTION 2. The property located at 600 North Sherman Drive, Indianapolis, IN 46201, is owned by Thomson Consumer Electronics.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 163, 1995. This proposal, sponsored by Councillors Shambaugh and Dowden, repeals Sec. 17-192 of the Code so as to require licensing of amusement machines located on premises controlled by holders of Alcoholic Beverage permits and by benevolent, religious, educational, civic, patriotic, fraternal and philanthropic organizations beginning July 1, 1995. Councillor Rhodes moved, seconded by Councillor Shambaugh, to postpone Proposal No. 163, 1995 until May 22, 1995. This motion passed by unanimous voice vote.

PROPOSAL NO. 266, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 266, 1995 on April 27, 1995. The proposal authorizes the City by and through its Department of Administration to transfer one 1970 Maxium Pumper to the Indianapolis Fire Buffs and Fire Department Museum, Inc. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 266, 1995, as amended, was adopted on the following roll call vote; viz:

May 8, 1995

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Franklin*

2 NOT PRESENT: *Giffin, Golc*

Proposal No. 266, 1995, as amended, was retitled SPECIAL RESOLUTION NO. 38, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 38, 1995

A SPECIAL RESOLUTION authorizing the City of Indianapolis by and through its Department of Administration to transfer one (1) 1970 Maxium Pumper (Serial No. 2739; City Asset No. 011282) to the Indianapolis Fire Buffs and Fire Department Museum, Inc.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to Section 2-516 of the Code of Indianapolis and Marion County, Indiana, which requires the City-County Council to approve the transfer of personal property which was originally valued at Five Thousand Dollars (\$5,000.00) or more, the City-County Council authorizes the transfer of a 1970 Maxium Pumper (Serial No. 2739; City Asset No. 011282) by the Department of Administration to the Indianapolis Fire Buffs and Fire Department Museum, Inc. The transfer shall be at the terms and conditions specified in the Agreement attached to this Special Resolution as Exhibit A.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

NEW BUSINESS

Councillor Jimison stated in light of the May 2nd primary results, the Democrats voice their appreciation to Councillor Beadling for her service on the Council and offer congratulations to Councillor Hinkle.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Shambaugh in memory of Noble G. Cope; and
- (2) Councillor Mullin in memory of James B. Lentz.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Noble G. Cope and James B. Lentz. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:30 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 8th day of May, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

Burt Serwaas

President

ATTEST:

Sullen Hart

Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETINGS
MONDAY, MAY 22, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:04 on Monday, May 22, 1995 with Councilor SerVaas presiding.

Councilor Shambaugh introduced Larry Hamm, pastor, Speedway Baptist Church, led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams.
1 ABSENT: Rhodes.

A quorum of twenty-eight members being present, the President called the meeting to order.

[Clerk's Note: Councillor Rhodes arrived shortly thereafter.]

INTRODUCTION OF GUESTS AND VISITORS

Councillor O'Dell introduced Phil Shambaugh, a resident from Franklin Township.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Journal of the City-County Council

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, May 22, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

MAY 9, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Thursday, May 11, 1995, a copy of a NOTICE TO TAXPAYERS of Public Hearing on Proposal Nos. 198, 235, and 236, 1995, and a NOTICE OF PUBLIC HEARING on Proposal No. 333, 1995, to be held on Monday, May 22, 1995, at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

May 12, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

GENERAL ORDINANCE NO. 67, 1995 repeals the White River Greenway Development Board and establishes an Indianapolis Greenways Development Committee

GENERAL ORDINANCE NO. 68, 1995 amends public hearing requirements with respect to disposal of certain land by the Indianapolis Department of Parks and Recreation

FISCAL ORDINANCE NO. 42, 1995 an appropriation of \$240,000 for new laboratory instrumentation and supplies and to provide various travel/training fees to upgrade Forensic Services Agency's capability in drug and drug-related analysis financed by additional grant revenues of the State and Federal Grants Fund

SPECIAL RESOLUTION NO. 36, 1995 recognizing Municipal Government Week

SPECIAL RESOLUTION NO. 37, 1995 determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Metropolitan Development

SPECIAL RESOLUTION NO. 38, 1995 authorizing the City by and through its Department of Administration to transfer one 1970 Maxium Pumper to the Indianapolis Fire Buffs and Fire Department Museum, Inc.

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Councillor Borst asked for consent to move Proposal Nos. 336 and 337, 1995 up on the agenda. Consent was given. Without objection, the agenda was adopted as amended.

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of May 8, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 350, 1995. This proposal, sponsored by Councillor Moriarty Adams, recognizes former Indianapolis Star reporter William E. "Bill" Anderson. Councillor Moriarty Adams read the resolution and presented a copy of the document to Mr. Anderson, who expressed appreciation for the recognition. Also present were Mr. Anderson's family, Richard Cady, Harley Bierce, Larry Connor, and Jerry Clark. Councillor Moriarty Adams moved, seconded by Councillor West, for adoption. Proposal No. 350, 1995 was adopted by unanimous voice vote.

Proposal No. 350, 1995 was retitled SPECIAL RESOLUTION NO. 39, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 39, 1995

A SPECIAL RESOLUTION recognizing former *Indianapolis Star* reporter William E. "Bill" Anderson.

WHEREAS, William E. "Bill" Anderson is an Indianapolis Eastside native, having graduated from Little Flower elementary school and Arsenal Technical High School; and

WHEREAS, he served in the U.S. Army during the end of World War II, and studied journalism at Butler University; and

WHEREAS, from 1950 to 1956 he worked for the *Indianapolis Star* before becoming the news director at a radio station; in 1963 he joined newly-elected Mayor John J. Barton as his speech writer and as the Mayor's Complaint Office, and after a one-year stint as advertising director for Merchants National Bank, he returned for the rest of his career with the *Star* as an investigative reporter and assistant editor; and

WHEREAS, Anderson's team of reporters won the Pulitzer Prize for their series on local corruption; and during his years with the newspaper he also received the Associated Press Freedom of Information Award, the Gold Medal from Sigma Delta Chi journalism society, the Drew Pierson Award, National Headliners Award and the George Polk Memorial Award; and

WHEREAS, this spring, after four decades in journalism, Bill Anderson was inducted into the Journalism Hall of Fame during appropriate ceremonies at DePauw University; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates long-time Indianapolis reporter and publicist William E. "Bill" Anderson.

SECTION 2. The Council wishes Bill well in his retirement years as he is able to spend more time with his wife Geraldine, their children Suzie, Mary Jo, Eileen, Kathy, David and William Michael, and with his beloved Little Flower Church and all of the eastside golf courses.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 351, 1995. This proposal, sponsored by Councillor Golc, recognizes George Washington High School. Councillor Golc stated that on June 3, 1995 George Washington High School is scheduled to close its doors forever. He read the resolution and moved for its adoption. Proposal No. 351, 1995 was adopted by unanimous voice vote.

Proposal No. 351, 1995 was retitled SPECIAL RESOLUTION NO. 40, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 40, 1995

A SPECIAL RESOLUTION recognizing George Washington High School.

WHEREAS, in 1927, Coolidge was in the White House, flappers were in style, the Indianapolis City Council approved funds for the city police to trade in a 1924 Studebaker for a new 1927 Buick, as well as changed the name of Ketcham Street between 10th and 16th Streets to Sharon Avenue; and

WHEREAS, that same year the new George Washington High School on West Washington Street opened its doors for the first time; and

WHEREAS, day after day for the next 68 years Washington High School carried out its primary mission of educating young people, and in the process built up an intense loyalty by all those persons whose lives were affected by the school; and

WHEREAS, especially after World War II, the Washington Continentals became a very respected powerhouse in high school athletics, producing state champions in basketball, football, golf and track; and ten graduates were signed to play professional basketball; and

WHEREAS, four of Washington's teachers have written widely used school textbooks, and alumni of the public school include an Indianapolis mayor, several college presidents, and thousands of just plain honest hard-working productive citizens; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and applauds the contributions to this community since 1927 by all persons associated with George Washington High School.

SECTION 2. This spring they may lower the flag for the last time, they can close the doors and reassign the children--but no one can close the vivid memories of the loyal alumni and friends of George Washington High School.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 352, 1995. This proposal, sponsored by Councillor Beadling, recognizes Mary Fendrich Hulman. Councillor Beadling read the resolution and moved for its adoption. Proposal No. 352, 1995 was adopted by unanimous voice vote.

Proposal No. 352, 1995 was retitled SPECIAL RESOLUTION NO. 41, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 41, 1995

A SPECIAL RESOLUTION recognizing Mary Fendrich Hulman.

WHEREAS, 1995 marks the 50th Anniversary of the end of World War II, and the 50th year that the Hulman family has been the proprietors of the Indianapolis Motor Speedway; and

WHEREAS, Mary Fendrich Hulman succeeded her late husband Anton Hulman as Chairman of the Board of the Speedway in 1977, until 1988 at which time her daughter Mari Hulman George was named Chairman; and

WHEREAS, Mrs. Hulman is a Hoosier native, and her family's principal business was the LaFendrich Cigar Company begun in 1833 by her German immigrant grandfather; and

May 22, 1995

WHEREAS, she attended parochial schools in Evansville and graduated from St. Mary-of-the-Woods Academy near Terre Haute; and

WHEREAS, beyond her successful business enterprises, Mrs. Hulman has been very generous to colleges, museums and hospitals in the Terre Haute and Indianapolis areas, and was the first woman ever elected to the Rose Hulman Board of Managers; and

WHEREAS, this year, she celebrated her 90th birthday; now, therefore;

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes Mary Fendrich Hulman, her family and their most widely-known family business, the Indianapolis Motor Speedway -- the home of the "Indianapolis 500" and the new "Brickyard 400" auto races.

SECTION 2. This city and state are truly blessed to have citizens like the Hulmans.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 29, 1995. The proposal reappoints Philip D. Pecar to the Health & Hospital Corporation Board of Trustees. PROPOSAL NO. 315, 1995. The proposal, sponsored by Councillors Schneider, McClamroch, and Dowden, appoints James E. Logsdon to the Indianapolis-Marion County Public Library Board. Councillor Schneider stated that the Municipal Corporations Committee heard Proposal Nos. 29 and 315, 1995, on May 11, 1995. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Schneider moved, seconded by Councillor McClamroch, for adoption. Councillor Schneider acknowledged the presence of Mr. Logsdon. Proposal Nos. 29 and 315, 1995 were adopted by a unanimous voice vote.

Proposal No. 29, 1995 was retitled COUNCIL RESOLUTION NO. 52, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 52, 1995

A COUNCIL RESOLUTION reappointing Philip D. Pecar to the Health & Hospital Corporation Board of Trustees.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Health & Hospital Corporation Board of Trustees, the Council appoints:

Philip D. Pecar

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1998. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 315, 1995 was retitled COUNCIL RESOLUTION NO. 53, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 53, 1995

A COUNCIL RESOLUTION appointing James E. Logsdon to the Indianapolis-Marion County Public Library Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis-Marion County Public Library Board, the Council appoints:

James E. Logsdon

SECTION 2. The appointment made by this resolution is for a term ending April 16, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 338, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance consolidates the Ordinance Violations Bureau and the Revenue Enhancement Division within the Office of Corporation Counsel"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 339, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$758,401 to fund the Collections Division in the Office of Corporation Counsel financed by a transfer of funds from the Department of Capital Asset Management's Parking Meter Fund and from the Office of the Controller's Consolidated County Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 340, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$38,449 for the City-County Council to contract for a cable television consultant financed by a transfer of funds from the Cable Communications Agency's Consolidated County Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 341, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$3,200,000 of Community Development Block Grant Section 108 funds to carry out two economic development projects: (1) the Keystone Project, and (2) the New East Industrial Center and the Opportunity Factory"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 342, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$335,000 to support direct acquisition of capital items by a qualified Community Development Corporation financed by a transfer of funds within DMD's Redevelopment General Fund"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 343, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution appointing James Caughey to the Beech Grove Library Board"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 344, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Special Resolution determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Indianapolis Fire Department's Technical Services Division"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 345, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$230,900 to continue the County comprehensive traffic safety program through the Prosecuting Attorney financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 346, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$445,100 to pay for law enforcement personnel participating in the multi-jurisdictional pursuit of illegal drug activities financed by revenues from a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 347, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$197,459 for the Marion County Justice Agency to purchase local area network equipment to provide detailed information (reports and graphs) relating to violent crime financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 348, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Resolution concerning annual budgets"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 349, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance authorizing a multi way stop at Hawthorne Lane and 18th Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 353, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the salaries of the mayor and the councillors after January 1, 1996"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 354, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$102,315 for the County Auditor to pay the 1995 rent payments for the Family Advocacy Center financed by revenues from the County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 363, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution appoints John R. Curtis to the Fort Harrison Reuse Authority"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 364, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Special Resolution approving the disbursement of \$3,034,500 of Community Development Block Grant funds"; and the President referred it to the Metropolitan Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 336, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 336, 1995 on May 18, 1995. The proposal amends S.R. No. 78, 1994, as amended, by extending the expiration date for Post Pointe Partners, Ltd. through November 30, 1995 (9027 East 39th Place, District 14). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 336, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Black, Borst, Boyd, Brents, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 Nays

4 Not Voting: Beadling, Coughenour, Franklin, Moriarty Adams

1 Not Present: Rhodes

Councillor Moriarty Adams asked for consent to abstain from voting due to a conflict of interest. Consent was given.

Proposal No. 336, 1995 was retitled SPECIAL RESOLUTION NO. 42, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 42, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 78, 1994, as amended, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 78, 1994, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Post Pointe Partners, Ltd. (the "Company") which Inducement Resolution set an expiration date of May 31, 1995 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of May 31, 1995, contained therein and replacing said date with the date of November 30, 1995.

May 22, 1995

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 337, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 337, 1995 on May 18, 1995. The proposal is an Inducement Resolution for the Indianapolis Water Company in an amount not to exceed \$18,000,000 for additions to and expansions of the Indianapolis Water Company's existing operating facilities located within the City which will be used to provide water to users located in the City. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Mullin, for adoption. Proposal No. 337, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams.

0 NAYS:

2 NOT VOTING: Giffin, Short.

1 NOT PRESENT: Rhodes.

Councillors Giffin and Short asked for consent to abstain from voting due to conflicts of interest. Consent was given.

Proposal No. 337, 1995 was retitled SPECIAL RESOLUTION NO. 43, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 43, 1995

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, Indianapolis Water Company (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, construction and equipping of additions to and expansions of the Indianapolis Water Company's existing operating facilities located within the City of Indianapolis, Indiana which will be used to provide water to users located in the City of Indianapolis, Indiana (the "Project");

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (six (6) jobs at the end of one (1) year and nine (9) jobs at the end of three (3) years plus the creation of a construction job payroll) and the creation of business opportunities to be achieved by the acquisition, construction and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the acquisition, construction and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Eighteen Million Dollars (\$18,000,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires November 30, 1995, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS -PUBLIC HEARING

PROPOSAL NO. 228, 1995. The proposal rezones 14.40 acres at 2339 Lafayette Road in Wayne Township from C-4, D-4 and D-S Districts to SU-7 classification to provide for a children's group home (District 16). The proposal was certified on March 16, 1995; on March 20, 1995 it was

scheduled for a public hearing on April 10, 1995; the Council has postponed it twice--on April 10 it was postponed until April 24, 1995, and on April 24, 1995 it was postponed until May 22, 1995. The President asked Bruce Polizotto, attorney for the petitioner (Pleasant Run Children's Home) to explain the current status of this rezoning. Mr. Polizotto stated that another site has been selected for this group home and the rezoning of the property at 2339 Lafayette Road by the petitioner is no longer necessary.

The President stated that under Council rules the vote is to sustain the Commission's approval to rezone this property which will take 12 yes votes; to reject will take 18 no votes. The Commission's decision was rejected and Proposal No. 254, 1995 failed by the following roll call vote; viz:

0 YEAS:

23 NAYS: Beadling, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

5 NOT VOTING: Black, Borst, Gray, Jones, Williams

1 NOT PRESENT: Rhodes

The President ruled that Proposal No. 198, 1995 would be the next item on the agenda.

PROPOSAL NO. 198, 1995. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 198, 1995 on May 3 and May 17, 1995. The proposal, sponsored by Councillor Borst, is an appropriation for \$269,652 for the County Sheriff to secure the west wing of the City-County Building and for the Court Administrator to purchase up to 22 walk-through metal detectors and 32 hand wands for use by those courts and agencies that desire security. Mr. Curry stated that the appropriation was increased by approximately \$73,000 from its original request of \$197,600. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillors Borst, Dowden, Smith, Hinkle, and McClamroch voiced their support of this proposal since it provides a security system for the courts.

Councillors Short, Ruhmkorff, and Williams said they could not support this proposal because it does not go far enough; they want the whole building secured.

Councillor Jimison asked if this is last time the security question will be heard by this Council. The President said that the east wing is now being considered as an annex to the jail. He would like to see the east wing used for the courts. He hopes there will be more dialogue on court location and security.

Councillor Williams asked how many courts will be secured by utilizing a staff person and how many will not. Councillor McClamroch said that the 16 courts in the west wing will be secured; the 23 other court rooms will have the option of acquiring the metal detectors and hand wands. The courts in the basement will continue to be secured by the metal detector that is already in place.

The President called for public testimony at 8:16 p.m. There being no one present to testify, Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 198, 1995, as amended, was adopted on the following roll call vote; viz:

22 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, West.*

7 NAYS: *Black, Golc, Gray, Jones, Ruhmkorff, Short, Williams.*

Proposal No. 198, 1995, as amended, was retitled FISCAL ORDINANCE NO. 43, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 43, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Two Hundred Sixty-nine Thousand Six Hundred Fifty-Two Dollars (\$269,652) in the County General Fund for purposes of the County Sheriff, County Auditor, and Court Administrator Agency and appropriating an additional Two Hundred Sixty-nine Thousand Six Hundred Fifty-Two Dollars (\$269,652) in the Cumulative Capital Development Fund for the County Sheriff and reducing other appropriations in the County General Fund for the County Sheriff and other appropriations in the Cumulative Capital Development Fund for the Court Administrator Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b), (z), and (ww) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff, County Auditor, and Court Administrator Agency to purchase walk through metal detectors and hand wands to provide court room security and to secure the west wing of the City-County Building.

SECTION 2. The sum of Two Hundred Sixty-nine Thousand Six Hundred Fifty-two Dollars (\$269,652) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing other appropriations as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	36,602
2. Supplies	23,600
3. Other Services and Charges	5,000
4. Capital Outlay	82,000
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	8,050
 <u>COURT ADMINISTRATOR AGENCY</u>	
2. Supplies	4,400
4. Capital Outlay	<u>110,000</u>
TOTAL INCREASE	269,652
 <u>COUNTY SHERIFF</u>	<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
3. Other Services and Charges	<u>269,652</u>
TOTAL INCREASE	269,652

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>269,652</u>
TOTAL REDUCTION	269,652
 <u>COURT ADMINISTRATOR AGENCY</u>	<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
3. Other Services and Charges	<u>269,652</u>
TOTAL REDUCTION	269,652

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 333, 1995. The proposal rezones 237.77 acres at 7601 East Thompson Road in Franklin Township from I-2-S(FF) and I-4-S districts to the D-3(FF) classification to provide for residential development (District 23). Proposal No. 333, 1995 was certified by the Metropolitan Development Commission on May 4, 1995. On May 8, 1995 Councillor Smith moved to schedule Proposal No. 333, 1995 for a public hearing on May 22, 1995. This motion passed by unanimous voice vote.

The President said that Robert Elrod, General Counsel, advised him that a preliminary conference was held with the petitioners and remonstrators on May 18, 1995 and there was no resolution of the matter at that time.

Councillor Smith stated that the petitioner wishes to develop the 237 plus acres into a 653-home subdivision. He does not believe that this high density use of this land is in the best interests of Franklin Township.

Stephen Mears stated that he represents Crossmann Communities Partnership which is the petitioner in this case. Crossmann Communities is a reputable developer in Marion County and has other subdivisions in Franklin Township. Mr. Mears said that the Metropolitan Development Commission approved this rezoning by a vote of 8-1. He stated that the first plat submitted by the petitioner was for 719 homesites. The developer has since compromised with the remonstrators and reduced the homesites to 653 and has also agreed to 29 commitments. There have been several meetings with the surrounding property owners and civic organizations. The Department of Metropolitan Development staff has recommended approval.

Catherine Burton, president of the Franklin Township Civic League ("League"), stated that the League strongly opposes the proposed rezoning. It is not against residential development in Franklin Township, but the League wants the growth to take place at a controlled rate and with densities that do not overburden infrastructure and devalue existing homes.

Mark Fellmeth, member of the League, stated that 75% of this development is in an area marked "very low density" with a maximum of 2 units per acre; the other 25% is marked "low density" with a maximum of 5 units per acre. The DMD staff took the maximum amount of units in both areas to come up with its number of 653 units for this area. The League would agree to 600 units.

Joe Tilford, 6950 East Thompson Road, stated that he opposes this development due to the high density per acre and to the increased traffic that it will generate.

Councillor West asked if the remonstrators only oppose this rezoning on the density factor or on problems it has had with the developer. Mr. Fellmeth responded that the League opposes it on the grounds of density.

Councillor Moriarty Adams asked what the average size of the lots will be. Mr. Mears responded that the average size of the lots will be approximately one-fourth of an acre.

Councillor Franklin stated that he supports the remonstrators because it is the sprawling hills, meadows, and large lots that sets Franklin Township apart.

Councillor Beadling asked if the petitioner would compromise with the remonstrators on the number of units. Mr. Mears said that the petitioner has already compromised and will not compromise further.

Councillor Smith said that Franklin Township needs light industrial and commercial development, not more residential. The Franklin Township Positive Growth Association, Fire Department, the Community School Corporation all oppose this large development. He urged the Councillors to vote against this rezoning.

The President reminded the Councillors that under Council rules the vote is to sustain the Commission's approval to rezone this property will take 12 yes votes; to reject will take 18 no votes. The Commission's decision was rejected and Proposal No.333, 1995 failed by the following roll call vote; viz:

9 YEAS: Black, Boyd, Brents, Golc, Gray, Jimison, Mullin, Short, Williams

20 NAYS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 355, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on May 18, 1995." The Council did not schedule Proposal No. 355, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 355, 1995 was retitled REZONING ORDINANCE NO. 73, 1995 and is identified as follows:

REZONING ORDINANCE NO. 73, 1995. 95-Z-51 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 10.

5320-5352 EAST 21ST STREET (approximate address), INDIANAPOLIS.

JAMES E. SMITH requests the rezoning of 4.086 acres, being in the D-A District, to the D-8 classification to conform zoning with the existing six 12-unit apartment buildings.

PROPOSAL NOS. 356-362, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 18, 1995." The Council did not schedule Proposal Nos. 356-362, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 356-362, 1995 were retitled REZONING ORDINANCE NOS. 74-80, 1995 and are identified as follows:

REZONING ORDINANCE NO. 74, 1995. 95-Z-46 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 12.

2002 NORTH ARLINGTON AVENUE (approximate address), INDIANAPOLIS.

REVCO, by Edward Williams, requests the rezoning of 1.521 acres, being in the D-5 and C-4 Districts, to the C-4 classification to conform zoning to the existing retail commercial use.

REZONING ORDINANCE NO. 75, 1995. 95-Z-47 (Amended) CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 16.

717 SOUTH EAST STREET (approximate address), INDIANAPOLIS.

THIXTON-LYNCH INVESTMENTS, INC., by Paul Page, requests the rezoning of 0.53 acre, being in the I-3-U District, to the C-2 classification to provide for office use.

REZONING ORDINANCE NO. 76, 1995. 95-Z-56 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 25

905 WEST TROY AVENUE (approximate address), INDIANAPOLIS.

May 22, 1995

CURTIS BRINKMANN requests the rezoning of 1.73 acres, being in the D-A(FF) District, to the I-3-U(FF) classification to provide for I-3-U permitted uses.

REZONING ORDINANCE NO. 77, 1995. 95-Z-57 PERRY TOWNSHIP.

COUNCILMANIC DISTRICT # 25.

3006 WEST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.

JAMES R. JONES, by Michael J. Kias, requests the rezoning of 11.6 acres, being in the D-A(FF) District, to the C-ID(FF) classification to provide for the continued use of a mini-warehouse storage facilities and related activities.

REZONING ORDINANCE NO. 78, 1995. 95-Z-59 PERRY TOWNSHIP.

COUNCILMANIC DISTRICT # 25.

7919-7811 LAVERNE STREET (approximate address), INDIANAPOLIS.

METROPOLITAN SCHOOL DISTRICT OF PERRY TOWNSHIP, by Louis H. Borgmann, requests the rezoning of 4.29 acres, being in the D-4 District, to the SU-2 classification to provide for additional athletic fields for Perry Meridian High School and Meridian Middle School.

REZONING ORDINANCE NO. 79, 1995. 95-Z-60 PERRY TOWNSHIP.

COUNCILMANIC DISTRICT # 25.

7610 SOUTH MERIDIAN STREET (approximate address), INDIANAPOLIS.

JUST ADD POWER, INC. requests the rezoning of 1.486 acres, being in the D-A District, to the C-1 classification to provide for a computer systems support operation.

REZONING ORDINANCE NO. 80, 1995. 95-Z-63 WASHINGTON TOWNSHIP.

COUNCILMANIC DISTRICT # 7.

2415 EAST 72ND STREET (approximate address), INDIANAPOLIS.

DAYSRING ASSEMBLY OF GOD, by Edward Williams, requests the rezoning of 0.746 acre, being in the D-5 District, to the SU-1 classification to provide for church use.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 235, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 235, 1995 on April 26, 1995. The proposal is an appropriation of \$37,070 for the Superior Court, Juvenile Division/Detention Center, to employ a person currently under contract to the City financed from the County General Fund balances. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 9:15 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 235, 1995, as amended, was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West

5 NOT VOTING: Black, Golc, Gray, Ruhmkorff, Williams

Proposal No. 235, 1995, as amended, was retitled FISCAL ORDINANCE NO. 44, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 44, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Thirty-seven Thousand Seventy Dollars (\$37,070) in the County General Fund to hire an employee currently under contract to the City of Indianapolis for the Superior Court, Juvenile Division/Detention Center and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (kk) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of hiring an employee currently under contract to the City of Indianapolis for the Superior Court, Juvenile Division/Detention Center.

SECTION 2. The sum of Thirty-seven Thousand Seventy Dollars (\$37,070) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>SUPERIOR COURT, JUVENILE DIVISION/ DETENTION CENTER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	29,540
<u>COUNTY AUDITOR</u>	
1. Personal Service - Fringes	<u>7,530</u>
TOTAL INCREASE	37,070

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>37,070</u>
TOTAL REDUCTION	37,070

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 236, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 236, 1995 on April 12, 1995. The proposal is a new appropriation of \$7,833 to pay overtime per Fair Labor Standards Act's guidelines for the Superior Court, Criminal Division, Rooms 1, 2, 3, and 4, and Civil Division, Room 2, financed from the County General Fund balances. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 9:18 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 236, 1995, as amended, was adopted on the following roll call vote; viz:

23 YEAS: Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams
3 NAYS: Gilmer, Gray, Rhodes
3 NOT VOTING: Beadling, Black, Jimison

Proposal No. 236, 1995, as amended, was retitled FISCAL ORDINANCE NO. 45, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 45, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Seven Thousand Eight Hundred Thirty-three Dollars (\$7,833) in the County General Fund for purposes of paying overtime per Fair Labor Standards Act ("F.L.S.A.") for Superior Court, Criminal Division, Rooms 1, 2, 3, and 4 and Superior Court, Civil Division, Room 2, and reducing the unappropriated and unencumbered balance in the County General Fund.

May 22, 1995

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (ee), (ff), (gg), (hh), and (nn) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of paying overtime per F.S.L.A. guidelines for the Superior Court, Criminal Division, Rooms 1, 2, 3, and 4 and for the Superior Court, Civil Division, Room 2.

SECTION 2. The sum of Seven Thousand Eight Hundred Thirty-three Dollars (\$7,833) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM 1</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	1,052
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM 2</u>	
1. Personal Services	1,017
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM 3</u>	
1. Personal Services	1,970
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM 4</u>	
1. Personal Services	2,634
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM 2</u>	
1. Personal Services	<u>1,160</u>
TOTAL INCREASE	7,833

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>7,833</u>
TOTAL REDUCTION	7,833

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 115, 1995. The proposal, sponsored by Councillor Franklin, is an appropriation of \$21,175 for the Superior Court, Criminal Division, Room Five, to fund a clerk's salary financed from the County General Fund balances. Councillor Dowden moved, seconded by Councillor Franklin, to strike Proposal No. 115, 1995. Proposal No. 115, 1995 was stricken by a unanimous voice vote.

PROPOSAL NO. 163, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 163, 1995 on April 27, 1995. The proposal, sponsored by Councillors Shambaugh and Dowden, repeals Sec. 17-192 of the Code so as to require licensing of amusement machines located on premises controlled by holders of Alcoholic Beverage permits and by benevolent, religious, educational, civic, patriotic, fraternal and philanthropic organizations beginning July 1, 1995. Councillor Rhodes stated that Councillor Shambaugh had an amendment he wished to submit at this time.

Councillor Shambaugh said that his proposed amendment is an agreement between the Sheriff's Department and the Indiana Retail Grocers Association (IRGA). He read the following amendment:

Mr. President:

I move to amend Proposal No. 163, 1995, Committee amended version, by deleting Sec. 17-185, paragraphs (c) through (h) inclusive which read as follows:

Sec. 17-185. Unlawful acts.

For the purposes of this article, the following act shall be deemed to be unlawful as herein stated:

~~—(a) Amusement location license. It shall be unlawful to own or operate any location fitting the definition of an "amusement location" as stated in this article, without an amusement location license issued by the city controller.~~

~~(ab) Amusement machine license. It shall be unlawful to allow to be operated in any public place any amusement machine without an amusement machine license issued by the city controller.~~

~~(be) Master vendor's license. It shall be unlawful for any person, corporation or entity to act as a master vendor without a master vendor's license issued by the city controller. A master vendor's license shall not be transferable.~~

~~—(cd) It shall be unlawful to allow a child under sixteen (16) years of age who is subject to the compulsory school attendance laws of the State of Indiana and who is not accompanied by a parent, guardian, or custodian to be present in an amusement location between the hours of 7:00 a.m. and 3:30 p.m. on a day when such child's school is in session.~~

~~—(de) It shall be unlawful to allow a person who has not reached the age of eighteen (18) years to be present in an amusement location after the hours established by state statute or city ordinance for juvenile curfew unless accompanied by a parent, guardian, or custodian, or an adult specified by the child's parent, guardian or custodian.~~

~~—(ef) It shall be unlawful to operate an amusement location unless a sign is conspicuously posted inside the location which provides that no child under sixteen (16) may be present in an amusement location from 7:00 a.m. to 3:30 p.m. on a day when the child's school is in session unless accompanied by a parent, guardian or custodian; and no child under eighteen (18) may be present in an amusement location in violation of the curfew established by state or local law.~~

~~—(fg) It shall be unlawful for an exhibitor or his employee to allow a child under sixteen (16) years of age who is subject to the compulsory school attendance laws of the State of Indiana and who is not accompanied by a parent, guardian, or custodian to operate an amusement machine between the hours of 7:00 a.m. and 3:30 p.m. on a day when such child's school is in session.~~

~~—(gh) It shall be unlawful for an exhibitor or his employee to allow a person who has not reached the age of eighteen (18) years to operate an amusement machine after the hours established by state statute or city ordinance for juvenile curfew unless accompanied by a parent, guardian or custodian or an adult specified by the child's parent, guardian or custodian.~~

~~—(hi) It shall be unlawful for an exhibitor to have amusement machines on his premises unless a sign is conspicuously posted near any amusement machines which provide that no child under sixteen (16) years of age may operate an amusement machine from 7:00 a.m. to 3:30 p.m. on a day when the child's school is in session unless accompanied by a parent, guardian, or custodian; and no child under eighteen (18) who is in violation of the curfew established by state or local law may operate an amusement machine.~~

This motion was seconded by Councillor McClamroch.

Councillor West stated that he believes the IRGA does not want the responsibility to have to report minors who are using the amusement facilities during school hours of 7 a.m. to 3:30 p.m., which is

illegal. If this amendment passes, businesses would have no further responsibility to report minors. Responsible people in business must share the responsibility with law enforcement and help the City's Youth Commission with keeping minors out of these places during school hours. He urged the Council not to support this amendment and to adopt the Committee report on Proposal No. 163, 1995.

Councillor Williams said that she agrees with Councillor West and will vote "no" on this amendment. She said that she and Councillor Moriarty Adams met with Dr. Esperanza Zendejas, the new Indianapolis Public School (IPS) Superintendent, who asked that the Council assist the IPS with its truancy problem. Businesses should not profit from students who should be in school.

Councillor Beadling asked what the reason is for this new fee on business. Councillor Shambaugh asked Sgt. Stephen Eltzroth, Sheriff's Department, to answer that question. Sgt. Eltzroth stated that every tavern and business that has these licensed machines is going to be subject to administrative inspection by the law enforcement community to insure that the activities that the businesses are conducting are legitimate.

Councillor Shambaugh's amendment failed by a majority voice vote.

Proposal No. 163, 1995, as amended, was adopted on the following roll call vote; viz:

22 YEAS: Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams

7 NAYS: Beadling, Black, Golc, Gray, Jimison, Mullin, Short

Proposal No. 163, 1995, as amended, was retitled GENERAL ORDINANCE NO. 69, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 69, 1995

A GENERAL ORDINANCE amending Secs. 17-184 through 17-193 of the Code of Indianapolis and Marion County, so as to require licensing of amusement machines located in premises controlled by holders of Alcoholic Beverage permits and by benevolent, religious, educational, civic, patriotic, fraternal and philanthropic organizations beginning July 1, 1995.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Article VI, Chapter 17, Secs. 17-184 through 17-193 of the Code of Indianapolis and Marion County, be, and is hereby, amended by inserting the underlined text and deleting the stricken-through text to read as follows:

ARTICLE VI. AMUSEMENT LOCATIONS AND MACHINES

Sec. 17-184. Definitions.

Whenever used in this article, the following words or phrases shall be defined as herein stated:

- (a) *Amusement location* means any public room or area containing five (5) or more amusement machines.
- (b) *Amusement machine* means a currency ~~coin~~-operated machine or device offered to the public as a game or amusement, the object of which is to achieve a high or low score based on the skill of the player, including, but not limited, to video games, pool or billiard tables and pinball machines. Such a machine or device designed and used exclusively for the vending of merchandise of a tangible nature shall not be deemed an amusement machine.

- (c) *Pool or billiard table* means a table used for any form of the games commonly referred to as pool or billiard and includes any table of any size, the top of which is surrounded by an elastic ledge or cushion and which is designed or used to play any game which consists of impelling balls by means of sticks or cues.
- (d) *Master vendor* means a person, corporation or entity who sells, leases or rents any amusement machine, whether on his own behalf or for another, within Indianapolis, Marion County, Indiana.
- (e) *Exhibitor* means any person owning or conducting a place of business in the city and operating or exhibiting at such place of business one (1) or more amusement machines.

Sec. 17-185. Unlawful acts.

For the purposes of this article, the following act shall be deemed to be unlawful as herein stated:

- ~~(a) Amusement location license. It shall be unlawful to own or operate any location fitting the definition of an "amusement location" as stated in this article, without an amusement location license issued by the city controller.~~
- ~~(ab) Amusement machine license. It shall be unlawful to allow to be operated in any public place any amusement machine without an amusement machine license issued by the city controller.~~
- ~~(be) Master vendor's license. It shall be unlawful for any person, corporation or entity to act as a master vendor without a master vendor's license issued by the city controller. A master vendor's license shall not be transferable.~~
- ~~(cd) It shall be unlawful to allow a child under sixteen (16) years of age who is subject to the compulsory school attendance laws of the State of Indiana and who is not accompanied by a parent, guardian, or custodian to be present in an amusement location between the hours of 7:00 a.m. and 3:30 p.m. on a day when such child's school is in session.~~
- ~~(de) It shall be unlawful to allow a person who has not reached the age of eighteen (18) years to be present in an amusement location after the hours established by state statute or city ordinance for juvenile curfew unless accompanied by a parent, guardian, or custodian, or an adult specified by the child's parent, guardian or custodian.~~
- ~~(ef) It shall be unlawful to operate an amusement location unless a sign is conspicuously posted inside the location which provides that no child under sixteen (16) may be present in an amusement location from 7:00 a.m. to 3:30 p.m. on a day when the child's school is in session unless accompanied by a parent, guardian or custodian; and no child under eighteen (18) may be present in an amusement location in violation of the curfew established by state or local law.~~
- ~~(fg) It shall be unlawful for an exhibitor or his employee to allow a child under sixteen (16) years of age who is subject to the compulsory school attendance laws of the State of Indiana and who is not accompanied by a parent, guardian, or custodian to operate an amusement machine between the hours of 7:00 a.m. and 3:30 p.m. on a day when such child's school is in session.~~
- ~~(gh) It shall be unlawful for an exhibitor or his employee to allow a person who has not reached the age of eighteen (18) years to operate an amusement machine after the hours established by state statute or city ordinance for juvenile curfew unless accompanied by a parent, guardian or custodian or an adult specified by the child's parent, guardian or custodian.~~
- ~~(hi) It shall be unlawful for an exhibitor to have amusement machines on his premises unless a sign is conspicuously posted near any amusement machines which provide that no child under sixteen (16) years of age may operate an amusement machine from 7:00 a.m. to 3:30 p.m. on a day when the child's school is in session unless accompanied by a parent, guardian, or custodian; and no child under eighteen (18) who is in violation of the curfew established by state or local law may operate an amusement machine.~~

Sec. 17-186. Application for license.

(1) The application for an amusement machine license or a master vendor's license ~~to own or operate an amusement location~~ shall contain the following information and be signed individually under penalties of perjury for false information on the application:—

- (a) Name of the applicant and, if a partnership or corporation the state in which organized;
- (b) Residence address of applicant;
- (c) Business address of applicant;
- (d) The age and citizenship of the applicant, if an individual; of all partners, if the applicant is a partnership or joint venture; or of the manager and officers, if the applicant is a corporation;
- ~~(e) The street address of the premises to be licensed;~~
- ~~(f) The name and residence address of the owner of the premises proposed for licensing;~~
- ~~(g) The location, and time and duration of any other amusement location operated by the applicant presently or at any previous time, and whether such license was revoked;~~
- ~~(h) The number of pool or billiard tables and amusement machines that are to be located on the premises to be licensed;~~
- ~~(i) The name of the manager or operator if said person is not the applicant;~~
- ~~(j) The name and address of the master vendor or vendors.~~

(2) The application for an amusement machine license or master vendor's license shall be made in such form and contain such additional information as the city controller may prescribe. Persons applying for a Master Vendor's License shall provide the Controller with evidence that all state and local taxes that are owing have been remitted.

Sec. 17-187. License term; fee; insignia; condition of machines.

The annual license fee shall be for the period of July first to June thirtieth, and shall be determined as follows:

~~(a) Amusement location license:~~

- ~~(1) One hundred fifty dollars (\$150.00); plus~~
- ~~(2) Twenty-five dollars (\$25.00) for the first amusement machine located on the licensed premises;~~
~~plus~~
- ~~(3) Ten dollars (\$10.00) for the second and each additional amusement machine located on the licensed premises.~~

~~(ab)~~ Amusement machine license, per annum; five dollars (\$5.00).

~~(be)~~ Master vendor's license, per annum, five hundred dollars (\$500.00).

Each person, upon procuring an amusement machine license from the controller, shall be given one metal or plastic insignia for each amusement machine so licensed, which shall be securely attached thereto, and each amusement machine shall be kept in good operating condition at all times.

Sec. 17-188. Operation.

- (a) All amusement locations shall be kept in a clean, healthful and sanitary condition at all times and the city controller shall have the power to determine if such room or rooms are kept in a clean, healthful and sanitary condition and for such purpose, when desired, have the assistance of any law enforcement agency or the administrator of the division of buildings ~~and of~~ the health and hospital corporation of Marion County. If said controller shall determine, by a law enforcement agency or the division of buildings ~~or of~~ the health and hospital corporation of Marion County, that an unsanitary condition exists within an amusement location or on property immediately adjacent to the amusement location, which property is under the control of the amusement location owners or their lessee or lessor, he shall have the power to suspend the amusement location machine license for ~~such premises~~ each machine at the location until such unsanitary condition is rectified.
- (b) No licensee article under this article, or his employee, shall permit persons to congregate in a disturbing manner within said amusement location or on parking areas or other property immediately adjacent to or normally used for purposes of parking for which property is under

the control of the amusement location owner or owners or their lessee or lessor. A violation of this provision shall be sufficient grounds for the revocation of the licenses of the amusement ~~location~~ machines by the controller.

- (c) No licensee under this article, or his employee, shall violate any state statute or city ordinance, allow any other person to commit such violation, within said amusement location or on parking areas or other property immediately adjacent to or normally used for purposes of parking for said amusement location which property is under the control of the amusement location owner or owners or their lessee or lessor. A violation of this provision shall be sufficient grounds for the revocation of the licenses of the amusement ~~location~~ machines by the controller.
- (d) No exhibitor or his employee shall permit persons to congregate in a disturbing manner on the premises of his place of business.
- (e) No exhibitor or his employee shall violate any state statute or city ordinance, or allow any other person to commit such violation on the premises of the exhibitor's place of business.

Sec. 17-189. Investigation, rejection, notification.

The controller, before issuing a license, shall investigate the character of the applicant or applicants, and the officers or general manager of the business. Each licensee shall have an owner, manager or resident agent who shall be a resident of Marion County, Indiana. The license may be denied if the controller shall ~~and find~~ that any of the persons named in the application have previously been convicted of a felony, connected with any amusement location ~~when the license has been revoked or~~ where any of the provisions of the law, applicable to him, have been violated, or if the amusement location or billiard or pool room ~~sought to be licensed~~ does not comply in every way with the ordinances and laws applicable thereto. All employees of the licensee shall be eighteen (18) years of age or older. If an application denied, the applicant for such permit shall be notified in writing of the reasons for rejection and shall have the right to appeal accorded by this chapter.

Sec. 17-190. Inspection; report of violations.

It shall be the duty of every ~~police officer~~ law enforcement officer, and all persons designated by the chief of police, county sheriff and city controller, to make frequent inspections of all amusement locations, and amusement machines, and if any gaming, improper or unlawful practices are observed to report the same to the chief of police or county sheriff for proper action and also to city controller, who thereupon may recommend proceedings to revoke the license, in accordance with the provisions of this chapter.

Sec. 17-191. Reserved.

~~Sec. 17-192. Exemption from this article.~~

~~This article shall not apply to any room or area under the jurisdiction of the Indiana State Alcoholic Beverage Commission, and to any room area which is maintained by or for a benevolent, religious, educational, civic, patriotic, fraternal or philanthropic organization or purpose.~~

Sec. 17-~~192~~ 193. Penalties.

The penalties provided in section 1-8 of the "Code of Indianapolis and Marion County, Indiana" shall apply to this article. The fines assessed for violation of this Article shall be deposited with the law enforcement agency that caused the violation to be filed.

SECTION 2. This ordinance shall be in full force and effect from and after July 1, 1995.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 252, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 252, 1995 on May 16, 1995. The proposal, sponsored by Councillor Beadling, requests the Metropolitan Development Commission to initiate and adopt amendments to the Zoning Ordinance for Marion County to fix limits upon certain enforcement actions. By a 5-0

vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor West moved, seconded by Councillor Beadling, to strike. Proposal No. 252, 1995 was stricken by a unanimous voice vote.

Councillor Gilmer reported that the Capital Asset Management Committee heard the following eleven proposals on May 10, 1995. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

PROPOSAL NO. 286, 1995. The proposal, sponsored by Councillor Black, prohibits parking on the south side of 39th Street from Illinois Street to Meridian Street (District 6). Councillor Gilmer said that the neighborhood has had problems with trucks parking on 39th Street. He moved, seconded by Councillor Black, to amend Proposal No. 286, 1995 by prohibiting parking on both sides of 39th Street from Illinois Street to Meridian Street at all times. This motion passed by a unanimous voice vote. Proposal No. 286, 1995, as amended, was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams.*

0 NAYS:

4 NOT VOTING: *Giffin, Gray, Mullin, Short.*

Proposal No. 286, 1995, as amended, was retitled GENERAL ORDINANCE NO. 70, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 70, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

39th Street, on both sides,
from Illinois Street to Meridian Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 276, 277, 278, 279, 280, and 281, 1995. Councillor Gilmer asked for consent to vote on these proposals together. Consent was given. PROPOSAL NO. 276, 1995. The proposal, sponsored by Councillor Gilmer, authorizes stop signs for the Huntington Pointe subdivision (District 1). PROPOSAL NO. 277, 1995. The proposal, sponsored by Councillor Gilmer, authorizes intersection controls for the Huntington Estates subdivision (District 1). PROPOSAL NO. 278, 1995. The proposal, sponsored by Councillor Gilmer, authorizes stop signs for the Huntington Ridge subdivision (District 1). PROPOSAL NO. 279, 1995. The proposal, sponsored by Councillor Hinkle, authorizes a multi-way stop at Wilshire Glen Drive and Cardiff Lane in the Wilshire Glen subdivision (District 18). PROPOSAL NO. 280, 1995. The proposal, sponsored by Councillor Borst, authorizes a multi-way stop at Banta Road and Harding Street (District 25). PROPOSAL NO. 281, 1995. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at Hoyt Avenue and Spruce Street (District 21).

Councillor Borst said that his name is on Proposal No. 280 as the sponsor, but that he was not asked to sponsor it. He also said that the stop sign is already there. George Lynch, Executive Assistant, Department of Capital Asset Management, stated that he would look into it.

Councillor Hinkle stated that as a member of the Capital Asset Management Committee, he always asks if the sponsor is aware of the proposal. In the future, when he asks if the sponsor is aware or has signed off, he is specifically asking if a Councillor has signed off on the proposal.

Councillor Gilmer moved, seconded by Councillor O'Dell, for adoption. Proposal Nos. 276, 277, 278, 279, 280, and 281, 1995 were adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, Williams.

0 NAYS

3 NOT VOTING: Giffin, Jones, West.

Proposal No. 276, 1995 was retitled GENERAL ORDINANCE NO. 71, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 71, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
8, Pg. 1	Bluffridge Ln, Bluffridge Way	Bluffridge Way	Stop
8, Pg. 1	Bluffridge Dr, Bluffridge Way	Bluffridge Way	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 277, 1995 was retitled GENERAL ORDINANCE NO. 72, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 72, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
8, Pg. 1	Antietam Ci, Antietam Ct	Antietam Ci	Yield

May 22, 1995

8, Pg. 1	Antietam Ci, Bluffridge Blvd	Bluffridge Blvd	Stop
8, Pg. 1	Antietam Pl, Bluffridge Blvd	Bluffridge Blvd	Stop
8, Pg. 1	Bluffridge Pl, Bluffridge Blvd	Bluffridge Blvd	Stop
8, Pg. 1	Bluffridge Blvd, Lafayette Rd	Lafayette Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 278, 1995 was retitled GENERAL ORDINANCE NO. 73, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 73, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
8, Pg. 1	Antelope Blvd, Antelope Dr	Antelope Blvd	Stop
8, Pg. 1	Antelope Blvd, Lafayette Rd	Lafayette Rd	Stop
8, Pg. 1	Antelope Blvd, Caribou Pl	Antelope Blvd	Stop
8, Pg. 1	Caribou Pl, Caribou Dr	Caribou Pl	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 279, 1995 was retitled GENERAL ORDINANCE NO. 74, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 74, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
15, Pg. 3	Cardiff Ln, Wilshire Glen Dr	Wilshire Glen Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
15, Pg. 3	Cardiff Ln, Wilshire Glen Dr	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 280, 1995 was retitled GENERAL ORDINANCE NO. 75, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 75, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45, Pg. 1	Banta Rd, Harding St	Harding St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45, Pg. 1	Banta Rd, Harding St	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 281, 1995 was retitled GENERAL ORDINANCE NO. 76, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 76, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

May 22, 1995

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 20	Hoyt Av, Spruce St	Hoyt Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 20	Hoyt Av, Spruce St	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 283, 1995. The proposal, sponsored by Councillor Giffin, authorizes a traffic signal at Hanna Avenue and Kentucky Avenue (District 19). Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 283, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, Shambaugh, Short, Smith, West, Williams

1 NAY: Gray

2 NOT VOTING: Giffin, SerVaas

Proposal No. 283, 1995 was retitled GENERAL ORDINANCE NO. 77, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 77, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
37, Pg. 4	Hanna Av, Kentucky Av	Kentucky Ave	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
37, Pg. 4	Hanna Av, Kentucky Av	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 284, 1995. The proposal, sponsored by Councillors Ruhmkorff and O'Dell, authorizes a traffic signal at Washington Street and Sadlier Drive (Districts 12, 13). Councillor

Gilmer moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 284, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams.*

0 NAYS

1 NOT VOTING: *Giffin.*

Proposal No. 284, 1995 was retitled GENERAL ORDINANCE NO. 78, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 78, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27, Pg. 15	Sadlier Dr, Washington St	Washington St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27, Pg. 15	Sadlier Dr, Washington St	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 285, 1995. The proposal, sponsored by Councillor Black, prohibits parking on College Avenue from 100 feet south of 40th Street to 100 feet north of 40th Street (District 6). Councillor Gilmer moved, seconded by Councillor Black, for adoption. Proposal No. 285, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams.*

0 NAYS

1 NOT VOTING: *Giffin.*

Proposal No. 285, 1995 was retitled GENERAL ORDINANCE NO. 79, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 79, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

May 22, 1995

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

College Avenue, on the east side, from the south curbline
of 40th Street, to a point 100 feet south of 40th Street.

College Avenue, on the west side, from the north curbline
of 40th Street, to a point 100 feet north of 40th Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 287, 1995. The proposal, sponsored by Councillor Gilmer, changes the speed limit for 82nd Street from Lafayette Road to County Line Road (District 1). Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal No. 287, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, , Curry, Dowden, Franklin, Gilmer, Golc, , Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams.

2 NAYS: Coughenour, Gray

1 NOT VOTING: Giffin.

Proposal No. 287, 1995 was retitled GENERAL ORDINANCE NO. 80, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 80, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the addition of the following, to wit:

35 MPH

82nd Street, from Lafayette Road to County Line Road

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

NEW BUSINESS

Councillor Golc stated that a committee is studying the reuse of Washington High School. The committee would like to appoint someone from this Council to a board that is being organized.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by Councillors Shambaugh and Hinkle in memory of Fred A. Hankins.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Fred A. Hankins. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to his family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:07 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 22nd day of May, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

Beurt Serwaas

President

ATTEST:

Sullen Hart

Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, JUNE 12, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:16 p.m. on Monday, June 12, 1995 with Councilor SerVaas presiding.

Councilor Mullin led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

President SerVaas introduced Dr. Frank Lloyd, former Executive Director of Methodist Hospital. Councillor O'Dell stated that on June 2 the Warren Central Warriors won the IHSA track and field state championship, setting two new school records, and defeating top-ranked Kokomo.

At this time President SerVaas asked Helen Brown, Indianapolis Downtown, Incorporated (IDI), to update the Council on the new Indianapolis downtown shuttle service. Ms. Brown stated that a new downtown shuttle service will be provided during the lunch hour (11:00-2:00) in order to transport people to and from the Circle Centre Mall. The shuttle will operate Monday through Friday only, and will cost 50 cents. If it is successful, it will be the nation's first unsubsidized shuttle service.

Ms. Brown stated that IDI sought a transportation specialist to undertake the operation of the new shuttle. IDI also requested that the company providing the service to provide a two-year commitment, a waiting time of 5-8 minutes, and simple, understandable routes. IDI did approach Metro, however, Metro declined. Indy Connection Limosines, Inc. was the only company that made a proposal to IDI.

Craig DelFabro, President, Indy Connection Limosines, Inc., stated that the routes will be concise and accommodating. The routes, however, will be somewhat limited in the beginning in an effort to avoid "trying to do too much at one time."

Councillor Smith asked why the IUPUI campus and Eli Lilly are not included in the route. Mr. DelFabro stated that at this time the shuttle will concentrate on the "core" businesses that are closer to the mall. It is anticipated that separate routes for IUPUI and Eli Lilly will be added at a later date.

Councillor Curry asked how many vehicles will be utilized in the beginning. Mr. DelFabro stated that there will be three vehicles in operation as well as a fourth "backup" vehicle. Councillor Curry asked if there is an "escape clause" in the two-year commitment. Mr. DelFabro stated that he may exit the agreement after one year if the shuttle is not profitable.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk Read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen:

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, June 12, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

May 25, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Tuesday, May 30, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 267, 269, 270, 307, 308, 309, 311, 312, 313, 314, 339, 340, 341, 345, 346, and 347, 1995, to be held on Monday, June 12, 1995, at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

May 26, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

June 12, 1995

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

GENERAL ORDINANCE NO. 69, 1995 - repealing Sec. 17-192 of the Code so as to require licensing of amusement machines located on premises controlled by holders of Alcoholic Beverage permits and by benevolent, religious, educational, civic, patriotic, fraternal and philanthropic organizations beginning July 1, 1995

GENERAL ORDINANCE NO. 70, 1995 - prohibits parking on both sides of 39th Street from Illinois Street to Meridian Street (District 6)

GENERAL ORDINANCE NO. 71, 1995 - authorizes stop signs for the Huntington Pointe subdivision (District 1)

GENERAL ORDINANCE NO. 72, 1995 - authorizes intersection controls for the Huntington Estates subdivision (District 1)

GENERAL ORDINANCE NO. 73, 1995 - authorizes stop signs for the Huntington Ridge subdivision (District 1)

GENERAL ORDINANCE NO. 74, 1995 - authorizes a multi-way stop at Wilshire Glen Drive and Cardiff Lane in the Wilshire Glen subdivision (District 18)

GENERAL ORDINANCE NO. 75, 1995 - authorizes a multi-way stop at Banta Road and Harding Street (District 25)

GENERAL ORDINANCE NO. 76, 1995 - authorizes a multi-way stop at Hoyt Avenue and Spruce Street (District 21)

GENERAL ORDINANCE NO. 77, 1995 - authorizes a traffic signal at Hanna Avenue and Kentucky Avenue (District 19)

GENERAL ORDINANCE NO. 78, 1995 - authorizes a traffic signal at Washington Street and Sadlier Drive (Districts 12, 13)

GENERAL ORDINANCE NO. 79, 1995 - prohibits parking on College Avenue from 100 feet south of 40th Street to 100 feet north of 40th Street (District 6)

GENERAL ORDINANCE NO. 80, 1995 - changes the speed limit for 82nd Street from Lafayette Road to County Line Road (District 1)

FISCAL ORDINANCE NO. 43, 1995 - an appropriation for \$269,652 for the County Sheriff to secure the west wing of the City-County Building and for the Court Administrator to purchase up to 22 walk-through metal detectors and 32 hand wands for use by those courts and agencies that desire security

SPECIAL RESOLUTION NO. 39, 1995 - recognizing former Indianapolis Star reporter William E. "Bill" Anderson

SPECIAL RESOLUTION NO. 40, 1995 - recognizing George Washington High School

SPECIAL RESOLUTION NO. 41, 1995 - recognizing Mary Fendrich Hulman

SPECIAL RESOLUTION NO. 42, 1995- - amends S.R. No. 78, 1994, as amended, by extending the expiration date for Post Pointe Partners, Ltd. through November 30, 1995 (9027 East 39th Place, District 14)

SPECIAL RESOLUTION NO. 43, 1995 - an Inducement Resolution for the Indianapolis Water Company in an amount not to exceed \$18,000,000 for additions to and expansions of the Indianapolis Water Company's existing operating facilities located within the City which will be used to provide water to users located in the City

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of May 22, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 290, 1995. This proposal, sponsored by Councillors Beadling and Rhodes, remembers the life of Richard "Dick" Hunt. Councillor Rhodes read the proposal and presented copies of the document to Mrs. Theda Hunt, wife; Chris Lewis, daughter; Robin Hunt, son; and Patty Hunt, daughter-in-law. Robin Hunt expressed appreciation for the recognition. Councillor Rhodes moved, seconded by Councillor Beadling, for adoption. Proposal No. 290, 1995 was adopted by a unanimous voice vote.

Proposal No. 290, 1995 was retitled SPECIAL RESOLUTION NO. 30, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 1995

A SPECIAL RESOLUTION remembering the life of Richard "Dick" Hunt.

WHEREAS, Richard Hunt owned Indianapolis Yellow Cab Company since the early 1950's; and

WHEREAS, the Charleston, West Virginia, native was a progressive businessman, being the owner of the largest taxicab company in the city, was the past President of the International Taxicab Association, and was a pioneer in his industry being the first cab company in the United States to use a computerized taxi dispatch system; and

WHEREAS, Mr. Hunt was also very generous with his time and talents, having served on the Council's Fleet Management Study Committee, and offered free rides on New Year's Eve which resulted in not one single fatal car accident in the city since he began the service; and

WHEREAS, he was the past Potentate of the Murat Shrine, a 33rd Degree Mason, and was President of the Indianapolis Shrine Horse Patrol; and

WHEREAS, Mr. Hunt was actively involved in auto racing and served for many years on the Indianapolis 500, Speedway Traffic Committee for the routing of public transportation and emergency agencies that results in a far more efficient system than in other race cities; and

WHEREAS, Richard Hunt was called from his earthly life on April 1, 1995; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council pauses to remember the life, entrepreneurial spirit, and contributions of Richard "Dick" Hunt.

SECTION 2. The Council extends its condolences to his wife Theda, their son Robin, daughter Christine Lewis, to his sister Mary Frances Canada, and to their families.

June 12, 1995

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 394, 1995. The proposal, sponsored by Councillor Borst, recognizes the newest development phase of the White River State Park. Councillor Borst read the proposal and presented copies of the document to Dr. Frank Lloyd, Chairman, White River State Park Commission; John Kisch, Director, White River State Park; and Brenda Bush, Assistant Director, White River State Park. Mr. Kisch expressed appreciation for the recognition. Councillor Borst moved, seconded by Councillor West, for adoption. Proposal No. 394, 1995 was adopted by a unanimous voice vote.

Proposal No. 394, 1995 was retitled SPECIAL RESOLUTION NO. 44, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 44, 1995

A SPECIAL RESOLUTION recognizing the newest development phase of White River State Park.

WHEREAS, the young White River State Park is in the middle of the state's largest city, and is dramatically different from Indiana's traditional rural state park settings; and

WHEREAS, the urban state park is already the site of major attractions including the Eiteljorg Museum of American Indians and Western Art, the Indianapolis Zoo and is adjacent to several world class sports venues; and

WHEREAS, extensive land improvements on the river's East Bank will begin this August with the construction of an extended canal, and future plans include fountains, picnic areas, and the restoration of the Washington Street Bridge as a celebration area and as a crossroad unifying the entire park; and

WHEREAS, the newest venture of White River State Park is Future Park, a dynamic self-supporting activity center that salutes Indiana and exhibits the state's technology capabilities inside a spacious crystal geode building; and

WHEREAS, Future Park is designed to be a learning and recreational resource with its cornerstone being a state-of-the-art IMAX 3-D movie theater; and

WHEREAS, Future Park will feature simulated high technology experiences, will have a decided economic development impact, make a dramatic architectural statement, boost tourism and will help usher the city into the high-tech Twenty-First Century; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes White River State Park's forthcoming Future Park.

SECTION 2. The Council commends the Indiana White River State Park Development Commission for its vision and leadership in this development of major importance.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 395, 1995. The proposal, sponsored by Councillors Hinkle and Jimison, concerns the United Way of Central Indiana's Day of Caring. Councillor Hinkle read the

proposal and presented a copy of the document to Debbie Ervin-Head, Coordinator, Day of Caring, who expressed appreciation for the recognition. Councillor Hinkle moved, seconded by Councillor Jimison, for adoption. Proposal No. 395, 1995 was adopted by a unanimous voice vote.

Proposal No. 395, 1995 was retitled SPECIAL RESOLUTION NO. 45, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 45, 1995

A SPECIAL RESOLUTION concerning the United Way of Central Indiana's "Day of Caring."

WHEREAS, volunteerism is a strong tradition in the Indianapolis community and is essential to meet the needs of our most vulnerable citizens; and

WHEREAS, the United Way of Central Indiana serves as a conduit to link volunteer time and donated resources to those in need; and

WHEREAS, the private sector is a significant partner with local government in providing health and human services; with the United Way of Central Indiana supporting 82 not-for-profit charitable organizations that provide essential health and human services to children and families in the Indianapolis community; and

WHEREAS, in 1994, 150 Central Indiana businesses generously donated over 3,000 volunteers for the "Day of Caring," assisting United Way agencies with needed improvements which would otherwise be cost prohibitive, such as painting, landscaping, and building venues where children, the elderly and other persons are served; and

WHEREAS, the 1995 United Way "Day of Caring" will take place on Saturday, September 16, 1995 and Monday, September 18, 1995; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council hereby recognizes the United Way of Central Indiana's "Day of Caring" as an important asset to the Indianapolis community, bringing volunteerism to new heights and furthering charitable efforts in our City.

SECTION 2. Councillors Hinkle and Jimison challenge each member of the City-County Council, Indianapolis city and county employees, businesses and all Indianapolis citizens to participate in the United Way's "Day of Caring" on Saturday, September 16, or Monday, September 18, 1995.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 396, 1995. The proposal, sponsored by Councillor Franklin, recognizes the Marion County Sheriff's Police Athletic League Playground Park at 42nd Street and Mitthoefer Road. Councillor Franklin read the proposal and presented a copy of the document to Bert Pettygrove, Organizer; Reverend Paul R. Armogum, Bell's Chapel Church; and Major Russell Tuttle, Marion County Sheriff's Department, who expressed appreciation for the recognition. Councillor Franklin moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 396, 1995 was adopted by a unanimous voice vote.

Proposal No. 396, 1995 was retitled SPECIAL RESOLUTION NO. 46, 1995 and reads as follows:

June 12, 1995

CITY-COUNTY SPECIAL RESOLUTION NO. 46, 1995

A SPECIAL RESOLUTION recognizing the Marion County Sheriff's Police Athletic League Playground park at 42nd Street and Mitthoefer Road.

WHEREAS, it began as a need--some safe place for the thousands of youngsters in the 42nd and Mitthoefer Road area to play; add a plot of land that was not being used, human spark plugs in the form of neighborhood resident Bert Pettygrove, Reverend Paul R. Armogum, pastor of Bell's Chapel Church, Deputy Sheriff Major Russell Tuttle and a host of public and private agencies, companies and individuals; and

WHEREAS, Bert Pettygrove initiated, organized and coordinated a "partnership of benevolence" to bring a playground to the young children of his neighborhood, the congregation of Bell's Chapel Church donated the use of the land, the Marion County Sheriff's Police Athletic League donated \$30,000 (the largest grant it had ever made) to furnish the park, a U.S. Navy SEABEE reserve unit installed much of the playground, the city's Youth and Family Services gave \$5,000, and many citizens from the community cared enough to see this playground/recreation project through; and

WHEREAS, other area stabilization and revitalization initiatives include a new Master Plan in the works, and a million dollar foundation grant to be used in that area for youth programs, economic development and crime prevention; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and commends all those who helped establish the Marion County Sheriff's P.A.L. Playground at 42nd and Mitthoefer Road.

SECTION 2. Their enterprise, hard work and cooperation have helped to make their part of southern Lawrence Township a better place in which to live and to conduct business.

SECTION 3. The Council particularly recognizes Bert Pettygrove, Reverend Paul R. Armogum and Major Russell Tuttle for their leadership roles in this project, and commends the Marion County Sheriff's P.A.L. for making the largest single grant it has ever made to the benefit of young people in the 42nd and Mitthoefer area.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 363, 1995. The proposal, sponsored by Councillor McClamroch, appoints John R. Curtis to the Fort Harrison Reuse Authority. Councillor McClamroch moved, seconded by Councillor Borst, for adoption. Proposal No. 363, 1995 was adopted by a unanimous voice vote.

Proposal No. 363, 1995 was retitled COUNCIL RESOLUTION NO. 54, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 54, 1995

A COUNCIL RESOLUTION appointing John R. Curtis to the Fort Harrison Reuse Authority.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Fort Harrison Reuse Authority, the Council appoints:

John R. Curtis

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 365, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Comprehensive Zoning Maps of Marion County by updating base maps #9, #22, #26, and #27"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 366, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the County Recorder to charge a supplemental fee of \$3 per document for recording documents"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 367, 1995. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which allows changes in salary schedules of County employees to become effective at other times than at beginning of a fiscal year"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 368, 1995. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Resolution which amends county salary schedules to increase salary ranges for County employees"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 369, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$32,069 to pay for accumulated compensatory time and benefit leave for employees who have left the County Coroner's office financed from the County General Fund balances"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 370, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$200,000 for the Indianapolis Fleet Services to cover increased expenditures in the cost of contractual repairs for City vehicles financed by a transfer of funds within the division's Consolidated County Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 371, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation to adjust judicial and prosecutorial salaries to conform to statutory changes effective July 1, resulting in a net reduction in appropriated County General Funds of \$390,256"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 372, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an additional appropriation of \$116,325 for

the Public Defender Agency to achieve staffing levels sufficient to qualify for state reimbursement in excess of such increases"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 373, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$880,309 to pay Community Corrections operational expenses for fiscal year 1995/1996 financed by state and federal grants"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 374, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$262,422 for Community Corrections to pay personnel, home detention equipment and office supply expenses for fiscal year 1995/1996 financed by revenues from the Home Detention User Fee Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 375, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$7,000 for Community Corrections to pay for additional bed space in the Community Corrections Residential Program financed by revenues from the Home Detention User Fee Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 376, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$77,234 for Community Corrections to fund the Juvenile Court Intensive Probation Services Program for fiscal year 1995/1996 financed by state and federal grants"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 377, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$43,750 for Community Corrections to fund Prosecutor Newman's Project Strategic Intervention with Brothers and Sisters (Project SIBS) (formerly Project Courage) financed by state and federal grants"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 378, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which revises provisions for registration of private emergency alarm systems and penalties for false alarm violations"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 379, 1995. Introduced by Councillor Gilmer and Gray. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes traffic signals at Kessler Boulevard and the two 38th Street ramps (Districts 2, 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 380, 1995. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes stop signs for the Spring Oaks Subdivision - Section One (District 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 381, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes stop signs for the Village of Orchard Park subdivision (District 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 382, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Riley Avenue and 19th Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 383, 1995. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Anchor Bay Court, Anchor Bay Drive, and Old Stone Drive (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 384, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes multi-way stops at Ralston Avenue and Randall Road, and at 75th Street and Ralston Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 385, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Norwaldo Avenue and 61st Street (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 386, 1995. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at State Avenue and Walker Avenue (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 387, 1995. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Combs Road and Stop 11 Road (District 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 388, 1995. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Hickory Road and Indian Creek Road South (District 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 389, 1995. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Fairlane West Drive and Indian Creek Road South (District 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 390, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which prohibits parking on the southeast and northwest corners of College Avenue and 24th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 391, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which prohibits parking on the northwest corner of 10th Street at Emerson Avenue, and on the west side of Emerson Avenue from 10th Street to 11th Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 392, 1995. Introduced by Councillor Black, Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which prohibits parking on Washington Boulevard north and south of 32nd Street (Districts 6, 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 393, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which changes North Street from Canal Bridge to Senate Avenue from a one-way street to a two-way street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 397, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the Revised Code concerning the Public Defender Board and Agency to conform to the comprehensive plan adopted by the Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 398, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Resolution approving a comprehensive plan for indigent defense services in non-capital cases"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 407, 1995. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance consenting to the incorporation of the Town of North Madison, Indiana"; and the President referred it to the Metropolitan Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 399, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on June 8, 1995." The Council did not schedule Proposal No. 399, 1995 for hearing pursuant to IC-36-7-4-608. Proposal No. 399, 1995 was retitled REZONING ORDINANCE NO. 81, 1995 and is identified as follows:

REZONING ORDINANCE NO. 81, 1995. 95-Z-45 (Amended) PIKE TOWNSHIP.
COUNCILMANIC DISTRICT #1.
6950 NORTH MICHIGAN ROAD (Approximate Address), INDIANAPOLIS.
TOM AND SALLY MCNAMARA request the rezoning of 2.08 acres, being in the D-A and C-3 District, to the C-S classification to provide for the continued use and expansion of an existing landscape, garden center and pet supply center.

PROPOSAL NOS. 400-406, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 8, 1995." The Council did not schedule Proposal Nos. 400-406, 1995 for

hearing pursuant to IC-36-7-4-608. Proposal Nos. 400-406, 1995 were retitled REZONING ORDINANCE NOS. 82-88, 1995 and are identified as follows:

REZONING ORDINANCE NO. 82, 1995. 95-Z-137-C WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT #2.

615 WEST 63RD STREET (Approximate Address), INDIANAPOLIS.

ORCHARD SCHOOL FOUNDATION, by Michael L. Coppes, requests the rezoning of .06 acres, being in the D-2 District, to the SU-2 classification to provide for school use.

REZONING ORDINANCE NO. 83, 1995. 95-Z-66 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT #24.

4820-4830 SOUTH EMERSON AVENUE (Approximate Address), BEECH GROVE.

CONVENIENCE CENTERS, L.L.C., by Peter D. Cleveland, requests the rezoning of 1.24 acres, being in the C-4 (FF) (FW) District, to the C-S (FF) (FW) classification to provide for construction of mini-warehouses.

REZONING ORDINANCE NO. 84, 1995. 94-Z-206 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT #25.

6378 BLUFF ROAD (Approximate Address), INDIANAPOLIS.

DANNY R. MCKNIGHT, by Michael J. Kias, requests the rezoning of 21.69 acres, being in the D-A District, to the D-4 classification to provide for residential development.

REZONING ORDINANCE NO. 85, 1995. 95-Z-52 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT #15.

3401 EAST NEW YORK STREET (Approximate Address), INDIANAPOLIS.

JUDITH K. WENDEL, by Stephen D. Mears, requests the rezoning of 1.6 acres, being in the C-S District, to the C-S classification to provide for the outdoor display and sale of vehicles, associated with an existing automobile parts reclamation and automobile parts sales operation.

REZONING ORDINANCE NO. 86, 1995. 95-Z-68 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT #17.

2024 STOUT FIELD EAST DRIVE (Approximate Address), INDIANAPOLIS.

PAKWAY CONTAINER CORPORATION, by David R. Warshauer, requests the rezoning of 2.19 acres, being in the I-3-S District, to the SU-9 classification to provide for State of Indiana use by the Military Department of Indiana.

REZONING ORDINANCE NO. 87, 1995. 95-Z-69 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT #17.

2002 SOUTH HOLT ROAD (Approximate Address), INDIANAPOLIS.

PAKWAY CONTAINER CORPORATION, by David R. Warshauer, requests the rezoning of 2.66 acres, being in the SU-9 District, to the I-3-S classification to provide for the expansion of an existing industrial facility.

REZONING ORDINANCE NO. 88, 1995. 95-Z-76 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT #18.

3518 TANSEL ROAD (Approximate Address), CLERMONT.

TOWN OF CLERMONT requests the rezoning of 0.138 acres, being in the D-4 District, to the SU-9 classification to provide for construction of a 960 square foot storage building for the Town of Clermont.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 267, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 267, 1995 on April 27, 1995. The proposal appropriates \$128,000 for the County Auditor to pay for administration and sale of County-owned land, financed from additional County General Fund revenues generated by such sales. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Jimison, for adoption.

The President called for public testimony at 8:12 p.m. Councillor West asked if, under State law, the Auditor or the County Commissioners have the responsibility for sale of property. Mr. West also asked if it is the responsibility of the County Commissioners or the Mayor to handle the actual sale. Cindy Land, Deputy Auditor, stated that the County Commissioners will act as the disposing agent, however, the Mayor will continue to sign all deeds for transfers. Any properties valued over \$10,000 would continue to be approved by the Council.

Abu Henderson, Citizen, stated that he feels that Proposal No. 367, 1995 is a form of monopolization. He then asked who will be signing the titles for the transfer of these properties. Councillor West explained that these properties will not be transferred, they will be sold. Ms. Land stated that these properties will become County-owned if they fail to be sold in two tax sales.

Councillor Beadling asked if the City Real Estate Division will be abolished. Ms. Land answered in the negative and stated that the Real Estate Division is currently budgeted to handle City-owned property only. Councillor Beadling asked about the hazardous grounds inspections for properties. Ms. Land stated that those inspections will be conducted in the same manner as in the past.

Proposal No. 267, 1995 was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

Proposal No. 267, 1995 was retitled FISCAL ORDINANCE NO. 46, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 46, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Twenty-eight Thousand Dollars (\$128,000) in the County General Fund for the Marion County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Auditor to assume the responsibility of the sale of county-owned land.

SECTION 2. The sum of One Hundred Twenty-eight Thousand Dollars (\$128,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	55,000
1. Personal Services - fringes	14,108
2. Supplies	600
3. Other Services and Charges	<u>58,292</u>
TOTAL INCREASE	128,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>128,000</u>
TOTAL REDUCTION	128,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 269, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 269, 1995 on May 17, 1995. The proposal appropriates \$283,219 for expenses associated with the County Sheriff's assuming responsibility for security in the City-County Building financed by Building Authority's reimbursement of the County General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:14 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 269, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:
1 NOT VOTING: *Schneider*

Proposal No. 269, 1995 was retitled FISCAL ORDINANCE NO. 47, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Two Hundred Eighty-three Thousand Two Hundred Nineteen Dollars (\$283,219) in the County General Fund for the County Sheriff and County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(z) and (b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of County Sheriff and County Auditor to cover expenses due to assuming security for the City-County Building effective June 1, 1995.

SECTION 2. The sum of Two Hundred Eighty-three Thousand Two Hundred Nineteen Dollars (\$283,219) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	205,383
2. Supplies	6,933
3. Other Services and Charges	2,100

June 12, 1995

MARION COUNTY AUDITOR

1. Personal Services - fringes	<u>68,803</u>
TOTAL INCREASE	283,219

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>283,219</u>
TOTAL REDUCTION	283,219

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 270, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 270, 1995 on April 26, 1995. The proposal appropriates \$252,750 for acquisition of laboratory instrumentation and to provide an educational stipend for laboratory employees for the Forensic Services Agency financed by tuition payments to the County General Fund from the government of Abu Dhabi covering eight officers being trained by the Forensic Services Agency. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:16 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 270, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:
1 NOT VOTING: *Black*

Proposal No. 270, 1995 was retitled FISCAL ORDINANCE NO. 48, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Two Hundred Fifty-two Thousand Seven Hundred Fifty Dollars (\$252,750) in the County General Fund for the purpose of the Forensic Services Agency and County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(y) and (b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Forensic Services Agency and County Auditor to acquire laboratory instrumentation and establishing an educational stipend for laboratory employees.

SECTION 2. The sum of Two Hundred Fifty-two Thousand Seven Hundred Fifty Dollars (\$252,750) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

FORENSIC SERVICES AGENCY

- 1. Personal Services
- 4. Capital Outlay

COUNTY GENERAL FUND

98,500
139,327

MARION COUNTY AUDITOR

- 1. Personal Services - fringes
- TOTAL INCREASE

14,923
252,750

SECTION 4. The said additional appropriation is funded by the following reductions:

COUNTY GENERAL FUND

Unappropriated and Unencumbered
County General Fund
TOTAL REDUCTION

252,750
252,750

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 307-309 and 311, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal Nos. 307-309 and 311, 1995 on May 23, 1995. PROPOSAL NO. 307, 1995. The proposal appropriates to pay salary increases for the Information Services Agency financed by revenues from the Information Services Internal Services Fund. PROPOSAL NO. 308, 1995. The proposal appropriates to pay salary increases for employees of the County Assessor and the nine Township Assessors financed by revenues from the Property Reassessment Fund. PROPOSAL NO. 309, 1995. The proposal appropriates to pay salary increases for all the County agencies financed by revenues from the County General Fund. PROPOSAL No. 311, 1995. The proposal appropriates to pay salary increases for the Metropolitan Emergency Communications Agency financed by revenues from the Metropolitan Emergency Communications Agency Fund. By 4-2 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption.

The President called for public testimony at 8:25 p.m. Abu Henderson, Citizen, asked what funds would be used to provide for the pay increases. Councillor Rhodes stated that the funds will be taken from various County Funds.

Proposal Nos. 307-309 and 311, 1995 were adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

Proposal No. 307, 1995 was retitled FISCAL ORDINANCE NO. 49, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 49, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Thirty-one Thousand Four Hundred One Dollars (\$31,401) in the Information Services Internal Services Fund for purposes of the Information Services Agency and reducing the unappropriated and unencumbered balance in the Information Services Internal Services Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

June 12, 1995

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(zz) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Information Service Agency to pay salary increases.

SECTION 2. The sum of Thirty-one Thousand Four Hundred One Dollars (\$31,401) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>INFORMATION SERVICES AGENCY</u>	<u>INFORMATION SERVICES INTERNAL</u>
1. Personal Services	<u>SERVICES FUND</u>
	27,270
<u>MARION COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>4,131</u>
TOTAL INCREASE	31,401

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>INFORMATION SERVICES INTERNAL</u>
Unappropriated and Unencumbered	<u>SERVICES FUND</u>
Information Services Internal Services Fund	<u>31,401</u>
TOTAL REDUCTION	31,401

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 308, 1995 was retitled FISCAL ORDINANCE NO. 50, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 50, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Eleven Thousand Six Hundred Seventy-three Dollars (\$11,673) in the Property Reassessment Fund for purposes of the County Auditor, County Assessor and the nine Township Assessors and reducing the unappropriated and unencumbered balance in the Property Reassessment Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of salary increases for the County Auditor, County Assessor and the nine Township Assessors to pay salary increases.

SECTION 2. The sum of Eleven Thousand Six Hundred Seventy-three Dollars (\$11,673) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
1. Personal Services - fringes	1,536
<u>COUNTY ASSESSOR</u>	
1. Personal Services	835

CENTER TOWNSHIP ASSESSOR

1. Personal Services 610

DECATUR TOWNSHIP ASSESSOR

1. Personal Services 190

FRANKLIN TOWNSHIP ASSESSOR

1. Personal Services 500

LAWRENCE TOWNSHIP ASSESSOR

1. Personal Services 1,400

PERRY TOWNSHIP ASSESSOR

1. Personal Services 1,430

PIKE TOWNSHIP ASSESSOR

1. Personal Services 865

WARREN TOWNSHIP ASSESSOR

1. Personal Services 1,325

WASHINGTON TOWNSHIP ASSESSOR

1. Personal Services 1,420

WAYNE TOWNSHIP ASSESSOR

1. Personal Services 1,561

TOTAL INCREASE 11,673

SECTION 4. The said additional appropriation is funded by the following reductions:

PROPERTY REASSESSMENT FUND

Unappropriated and Unencumbered

Property Reassessment Fund 11,673

TOTAL REDUCTION 11,673

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 309, 1995 was retitled FISCAL ORDINANCE NO. 51, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 51, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Four Hundred Eighty-eight Thousand Seven Hundred Fifty-six Dollars (\$488,756) in the County General Fund for purposes of the all county agencies and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the county agencies to pay salary increases.

SECTION 2. The sum of Four Hundred Eighty-eight Thousand Seven Hundred Fifty-six Dollars (\$488,756) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

June 12, 1995

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	8,617
1. Personal Services - fringes	64,304
<u>COUNTY COMMISSIONERS</u>	
1. Personal Services	415
<u>CLERK OF THE CIRCUIT COURT</u>	
1. Personal Services	20,347
<u>COUNTY ELECTION BOARD</u>	
1. Personal Services	10,945
<u>VOTERS REGISTRATION</u>	
1. Personal Services	4,679
<u>COUNTY CORONER</u>	
1. Personal Services	3,012
<u>COUNTY RECORDER</u>	
1. Personal Services	5,833
<u>COUNTY TREASURER</u>	
1. Personal Services	7,228
<u>COUNTY SURVEYOR</u>	
1. Personal Services	2,651
<u>COUNTY ASSESSOR</u>	
1. Personal Services	2,836
<u>CENTER TOWNSHIP ASSESSOR</u>	
1. Personal Services	8,071
<u>DECATUR TOWNSHIP ASSESSOR</u>	
1. Personal Services	1,251
<u>FRANKLIN TOWNSHIP ASSESSOR</u>	
1. Personal Services	1,432
<u>LAWRENCE TOWNSHIP ASSESSOR</u>	
1. Personal Services	2,231
<u>PERRY TOWNSHIP ASSESSOR</u>	
1. Personal Services	2,157
<u>PIKE TOWNSHIP ASSESSOR</u>	
1. Personal Services	2,252
<u>WARREN TOWNSHIP ASSESSOR</u>	
1. Personal Services	2,919
<u>WASHINGTON TOWNSHIP ASSESSOR</u>	
1. Personal Services	4,083
<u>WAYNE TOWNSHIP ASSESSOR</u>	
1. Personal Services	3,670
<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	
1. Personal Services	17,615

<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	32,887
<u>PROSECUTOR'S CHILD SUPPORT IV-D AGENCY</u>	
1. Personal Services	17,194
<u>FORENSIC SERVICES AGENCY</u>	
1. Personal Services	13,399
<u>COUNTY SHERIFF</u>	
1. Personal Services	98,112
<u>COMMUNITY CORRECTIONS</u>	
1. Personal Services	379
<u>CIRCUIT COURT</u>	
1. Personal Services	2,422
<u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	
1. Personal Services	30,372
<u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	9,975
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM ONE</u>	
1. Personal Services	1,999
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM TWO</u>	
1. Personal Services	1,960
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM THREE</u>	
1. Personal Services	1,964
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FOUR</u>	
1. Personal Services	1,975
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	
1. Personal Services	1,946
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX</u>	
1. Personal Services	1,986
<u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	
1. Personal Services	56,568
<u>SUPERIOR COURT, CRIMINAL DIVISION, PROBATION DEPARTMENT</u>	
1. Personal Services	8,784
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM ONE</u>	
1. Personal Services	1,192
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM TWO</u>	
1. Personal Services	1,192
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM THREE</u>	
1. Personal Services	1,192
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FOUR</u>	
1. Personal Services	1,192
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FIVE</u>	
1. Personal Services	1,192

June 12, 1995

SUPERIOR COURT, CIVIL DIVISION, ROOM SIX

1. Personal Services 1,192

SUPERIOR COURT, CIVIL DIVISION, ROOM SEVEN

1. Personal Services 1,192

SUPERIOR COURT, PROBATE DIVISION

1. Personal Services 3,388

SUPERIOR COURT, TITLE IV-D COURT

1. Personal Services 1,184

MARION COUNTY DRUG COURT

1. Personal Services 1,229

COURT ADMINISTRATOR AGENCY

1. Personal Services 4,003

COOPERATIVE EXTENSION AGENCY

1. Personal Services 1,917

MARION COUNTY CHILDREN'S GUARDIAN HOME

1. Personal Services 10,221

TOTAL INCREASE 488,756

SECTION 4. The said additional appropriation is funded by the following reductions:

COUNTY GENERAL FUND

Unappropriated and Unencumbered

County General Fund 488,756

TOTAL REDUCTION 488,756

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 311, 1995 was retitled FISCAL ORDINANCE NO. 52, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 52, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 87, 1994) appropriating an additional Seven Thousand Eight Hundred Twenty Dollars (\$7,820) in the Metropolitan Emergency Communications Agency Fund for purposes of the Metropolitan Emergency Communications Agency and reducing the unappropriated and unencumbered balance in the Metropolitan Emergency Communications Agency Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, of the Metropolitan Emergency Communications Agency Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Metropolitan Emergency Communications Agency to pay salary increases.

SECTION 2. The sum of Seven Thousand Eight Hundred Twenty Dollars (\$7,820) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

METROPOLITAN EMERGENCY
COMMUNICATIONS AGENCY

1. Personal Services

METROPOLITAN EMERGENCY
COMMUNICATIONS AGENCY FUND

6,791

MARION COUNTY AUDITOR

1. Personal Services - fringes

1,029

TOTAL INCREASE

7,820

SECTION 4. The said additional appropriation is funded by the following reductions:

METROPOLITAN EMERGENCY
COMMUNICATIONS AGENCY FUND

Unappropriated and Unencumbered

Metropolitan Emergency Communications Agency Fund

7,820

TOTAL REDUCTION

7,820

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 312, 1995. The proposal appropriates \$108,000 for the Office of Youth and Family Services to provide services for families or individuals at risk of being homeless financed by additional federal grants. Councillor O'Dell stated that the Community Affairs Committee has not yet acted on this proposal. Councillor O'Dell asked for consent to postpone Proposal No. 312, 1995 until June 26, 1995. Consent was given.

PROPOSAL NOS. 313 and 314, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal Nos. 313 and 314, 1995 on May 16, 1995. PROPOSAL NO. 313, 1995. The proposal appropriates an additional \$2,814,548 in Community Block Grant funds for redevelopment block grant activities financed by additional grants. PROPOSAL NO. 314, 1995. The proposal appropriates an additional \$2,814,548 of Community Development Block Grant funds for the Redevelopment General Fund for block grant activities: economic development, public services, housing, public improvements and support services financed by grant funds. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Dowden stated that he is listed as sponsor for Proposal Nos. 312-314, 1995. He stated that he did not sponsor those proposals. Robert Elrod, General Counsel, stated that the certification from the Controller's Office listed Councillor Dowden as sponsor. Councillor McClamroch stated that there is a rule that requires signatures of sponsoring councillors on all ordinances. Councillor McClamroch stated that this rule needs to be enforced.

[Clerk's Note: At this time Councillor West presented his signature to the Clerk to reflect that he would sponsor Proposal Nos. 313 and 314, 1995.]

The President called for public testimony at 8:38 p.m. Abu Henderson, Citizen, made several remarks not germane to Proposal Nos. 313 and 314, 1995. Councillor West moved, seconded by Councillor Williams, for adoption. Proposal Nos. 313 and 314, 1995 were adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Short, Smith, West, Williams

5 NAYS: Dowden, Giffin, McClamroch, Schneider, Shambaugh

June 12, 1995

Councillor Curry stated that, with respect to the signatures of councillors sponsoring proposals, the Council rules do allow for a councillor to sponsor a proposal without providing signature. Councillor Curry suggested that the Council rules should be amended at a later date in the Rules and Public Policy Committee. President SerVaas agreed with Councillor Curry.

Proposal No. 313, 1995 was retitled FISCAL ORDINANCE NO. 53, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 53, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Two Million Eight Hundred Fourteen Thousand Five Hundred Forty-eight Dollars (\$2,814,548) in the Community Services Fund for purposes of the Department of Metropolitan Development, Community Development Administration and reducing the unappropriated and unencumbered balance in the Community Services Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (k) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Department of Metropolitan Development, Community Development Administration appropriating additional Block Grant funds for use in 1995.

SECTION 2. The sum of Two Million Eight Hundred Fourteen Thousand Five Hundred Forty-eight Dollars (\$2,814,548) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> <u>COMMUNITY DEVELOPMENT ADMINISTRATION</u>	<u>COMMUNITY SERVICES FUND</u>
3. Other Services and Charges	<u>\$2,814,548</u>
TOTAL INCREASE	\$2,814,548

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COMMUNITY SERVICES FUND</u>
Unappropriated and Unencumbered Community Services Fund	<u>\$2,814,548</u>
TOTAL REDUCTION	\$2,814,548

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 314, 1995 was retitled FISCAL ORDINANCE NO. 54, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 54, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Two Million Eight Hundred Fourteen Thousand Five Hundred Forty-eight Dollars (\$2,814,548) in the Redevelopment Fund for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division and reducing the unappropriated and unencumbered balance in the Redevelopment General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (k) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Department of Metropolitan Development, Neighborhood and Development Services Division appropriating additional Block Grant funds for use in 1995.

SECTION 2. The sum of Two Million Eight Hundred Fourteen Thousand Five Hundred Forty-eight Dollars (\$2,814,548) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>REDEVELOPMENT GENERAL FUND</u>
<u>NEIGHBORHOOD AND DEVELOPMENT SERVICES DIVISION</u>	
3. Other Services and Charges	<u>2,814,548</u>
TOTAL INCREASE	2,814,548

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>REDEVELOPMENT GENERAL FUND</u>
Unappropriated and Unencumbered	
Redevelopment General Fund	<u>2,814,548</u>
TOTAL REDUCTION	2,814,548

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 339, 1995. The proposal appropriates \$758,401 to fund the Collections Division in the Office of Corporation Counsel financed by a transfer of funds from the Department of Capital Asset Management's Parking Meter Fund and from the Office of the Controller's Consolidated County Fund. Councillor Rhodes stated that the Administration and Finance Committee has not yet taken action on this proposal. Councillor Rhodes asked for consent to postpone Proposal No. 339, 1995 until June 26, 1995. Consent was given.

PROPOSAL NO. 340, 1995. The proposal appropriates \$38,449 for the City-County Council to contract for a cable television consultant financed by a transfer of funds from the Cable Communications Agency's Consolidated County Fund. Councillor Rhodes stated that the Administration and Finance Committee has not yet taken action on this proposal. Councillor Rhodes asked for consent to postpone Proposal No. 340, 1995 until June 26, 1995. Consent was given.

PROPOSAL NO. 341, 1995. The proposal appropriates \$3,200,000 of Community Development Block Grant Section 108 funds to carry out two economic development projects: (1) the Keystone Project, and (2) the New East Industrial Center and the Opportunity Factory. Councillor West stated that the Metropolitan Development Committee tabled this proposal on May 30, 1995. Councillor West asked for consent to postpone Proposal No. 341, 1995 until June 26, 1995. Consent was given.

PROPOSAL NO. 345, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 345, 1995 on May 31, 1995. The proposal appropriates \$230,900 to continue the County comprehensive traffic safety program through the Prosecuting Attorney financed by a federal grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:47 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 345, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*
0 NAYS:
3 NOT VOTING: *Black, Golc, Williams*

Proposal No. 345, 1995 was retitled FISCAL ORDINANCE NO. 55 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 55, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Two Hundred Thirty Thousand Nine Hundred Dollars (\$230,900) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(w) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to conduct a comprehensive traffic safety program in Marion County.

SECTION 2. The sum of Two Hundred Thirty Thousand Nine Hundred Dollars (\$230,900) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	84,500
2. Supplies	1,500
3. Other Services and Charges	<u>144,900</u>
TOTAL INCREASE	230,900

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>230,900</u>
TOTAL REDUCTION	230,900

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 346, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 346, 1995 on May 31, 1995. The proposal appropriates \$445,100 to pay for law enforcement personnel participating in the multi-jurisdictional pursuit of illegal drug activities financed by revenues from a federal grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Williams stated that she supports this proposal and urged all councillors to become more involved in community public safety. She then suggested that all councillors should ride

with the police patrols in order to see what illegal activities are happening in Indianapolis. Councillor Franklin concurred.

The President called for public testimony at 8:53 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor O'Dell, for adoption. Proposal No. 346, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

2 NOT VOTING: Golc, Jones

Proposal No. 346, 1995 was retitled FISCAL ORDINANCE NO. 56, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 56, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Four Hundred Forty-five Thousand One Hundred Dollars (\$445,100) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney, County Sheriff, County Auditor and Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(w), (z), (b), and (dd) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Prosecuting Attorney, County Sheriff, County Auditor, and Marion County Justice Agency to fund law enforcement personnel participation in the multi-jurisdictional pursuit of illegal drug activities.

SECTION 2. The sum of Four Hundred Forty-five Thousand One Hundred Dollars (\$445,100) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	141,863
<u>COUNTY SHERIFF</u>	
1. Personal Services	68,046
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	44,744
<u>MARION COUNTY JUSTICE AGENCY</u>	
3. Other Services and Charges	190,447
TOTAL INCREASE	445,100

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	445,100
TOTAL REDUCTION	445,100

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 347, 1995. Councillor Dowden stated that the Public Safety and Criminal Justice Committee heard Proposal No. 347, 1995 on May 31, 1995. The proposal appropriates \$197,459 for the Marion County Justice Agency to purchase local area network equipment to provide detailed information (reports and graphs) relating to violent crime financed by a federal grant. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:56 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 347, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

2 NOT VOTING: Brents, Giffin

Proposal No. 347, 1995 was retitled FISCAL ORDINANCE NO. 57, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 57, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Ninety-seven Thousand Four Hundred Fifty-nine Dollars (\$197,459) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(dd) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency for equipment to provide detailed information (reports and graphs) facilitating the understanding, evaluation and case management of violent crimes in Marion County.

SECTION 2. The sum of One Hundred Ninety-seven Thousand Four Hundred Fifty-nine Dollars (\$197,459) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
4. Capital Outlay	<u>197,459</u>
TOTAL INCREASE	197,459

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>197,459</u>
TOTAL REDUCTION	197,459

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 342, 1995. Councillor West reported that the Metropolitan and Development Committee heard Proposal No. 342, 1995 on May 30, 1995. The proposal appropriates \$335,000 to support direct acquisition of capital items by a qualified Community Development corporation financed by a transfer of funds within DMD's Redevelopment General Fund. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Smith, for adoption. Proposal No. 342, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

3 NOT VOTING: Beadling, Dowden, Giffin

Proposal No. 342, 1995 was retitled FISCAL ORDINANCE NO. 58, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 58, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Three Hundred Thirty-five Thousand Dollars (\$335,000) in the Redevelopment General Fund for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division and reducing other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (k) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division to allow qualified Community Development Corporation (CDC) to directly purchase required Capital items.

SECTION 2. The sum of Three Hundred Thirty-five Thousand Dollars (\$335,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>REDEVELOPMENT</u>
<u>NEIGHBORHOOD AND DEVELOPMENT SERVICE DIVISION</u>	<u>GENERAL FUND</u>
3. Other Services and Charges	<u>\$335,000</u>
TOTAL INCREASE	\$335,000

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>REDEVELOPMENT</u>
<u>NEIGHBORHOOD AND DEVELOPMENT SERVICE DIVISION</u>	<u>GENERAL FUND</u>
4. Capital Outlay from the Redevelopment General Fund	<u>\$335,000</u>
TOTAL REDUCTION	\$335,000

PROPOSAL NO. 344, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 344, 1995 on May 31, 1995. The proposal determines the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Indianapolis Fire Department's Technical Services Division. By a 7-0 vote, the Committee

reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Golc, for adoption. Proposal No. 344, 1995 was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, Williams

0 NAYS:

4 NOT VOTING: Black, Giffin, Jimison, West

Proposal No. 344, 1995 was retitled SPECIAL RESOLUTION NO. 47, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 47, 1995

A SPECIAL RESOLUTION determining the need to lease approximately 2,836.5 square feet of office space at Thomson Consumer Electronics, 600 North Sherman Drive, Indianapolis, IN 46201, for the Department of Public Safety.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines the lease of office space for the use of the Department of Public Safety, Indianapolis Fire Department's Technical Services Division is necessary.

SECTION 2. The property located at 600 North Sherman Drive, Indianapolis, Indiana 46201 is owned by Thomson Consumer Electronics.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 364, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 364, 1995 on May 30, 1995. The proposal approves the disbursement of \$2,959,500 of Community Development Block Grant funds. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor West moved, seconded by Councillor Rhodes, the following amendment:

Mr. President:

I move to amend Exhibit A to Proposal No. 364, 1995, as follows:

- (1) Item 3, Central Indiana Council on Aging - increase the amount by \$10,500 from \$40,000 to \$50,500;
- (2) Item 8, Southeast Neighborhood Development/Concord - increase the amount by \$30,000 from \$125,000 to \$155,000; and
- (3) Change the total to \$3,000,000.

s/Councillor Stephen West

Councillor West's motion to amend passed by a majority voice vote.

Councillor West moved, seconded by Councillor Rhodes, for adoption. Proposal No. 364, 1995, as amended, was adopted, on the following roll call vote; viz:

21 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Gray, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Short, Smith, West, Williams

6 NAYS: Dowden, Franklin, Gilmer, McClamroch, Schneider, Shambaugh

2 NOT VOTING: Giffin, Golc

Proposal No. 364, 1995, as amended, was retitled SPECIAL RESOLUTION NO. 48, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 48, 1995

A SPECIAL RESOLUTION approving the amount, location and programmatic operation of certain projects to be funded from Community Development Grant Funds.

WHEREAS, on September 28, 1994, the City-County Council, the City of Indianapolis and of Marion County, Indiana ("Council") adopted City-County Fiscal Ordinance No. 88, 1994, the 1995 Annual Budget and Tax levies for the Consolidated City of Indianapolis and for Marion County, Indiana ("Budget Ordinance"); and

WHEREAS, Section 4.01 of the Budget Ordinance, as approved by the Council, reads as follows:

SECTION 4.01. State, local and federal grants.

(a) Grant Applications Authorized. The Mayor of the Consolidated City of Indianapolis is hereby authorized to make such applications as may be required by federal or state laws or regulation in order to apply for, and receive, such state or federal grants or payments as are anticipated, allocated and approved for expenditure by inclusion in this ordinance.

(b) Community Development Grant Funds. Until this Council has approved the amounts, locations and programmatic operation of each project to be funded from Community Development Grant Funds, the amounts appropriated herein for such purposes shall not be encumbered or spent.

(c) Public Purpose Local Grants. The sums appropriated for public purposes grants as part of this ordinance shall not be spent until this Council by resolution approves the amount and identity of the recipient of each grant.

WHEREAS, the Department of Metropolitan Development of the City of Indianapolis, Indiana ("Department of Metropolitan Development") has submitted its 1995 Community Development Block Grant Community Development Committee Recommendation utilizing a portion of the Community Development Grant Funds, to the Council for its approval pursuant to Section 4.01 of the Budget Ordinance; and

WHEREAS, Council now finds that the amounts, locations and programmatic operation of each of the projects submitted by the Department of Metropolitan Development, should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That portion of the Community Development Committee's Recommendations for distribution of certain Community Development Block Grant Funds, submitted to the Council by the Department of Metropolitan Development, a copy of which is attached hereto and incorporated herein by reference as Exhibit A, is hereby approved, and the amount, location and programmatic operation of the project set forth therein, is hereby approved.

SECTION 2. This approval shall constitute the approval required under Section 4.01 of the Budget Ordinance.

June 12, 1995

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

EXHIBIT A

1995 COMMUNITY DEVELOPMENT BLOCK GRANT
COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATIONS

1. Eastside Community Investments \$425,000
 - Home repair of 100 units
 - New construction of 28 units of rental
 - Rehabilitation of 6 apartment units and 8 commercial units
 - Joint project with Martindale-Brightwood CDC to acquire and renovate 38 units of rental housing
2. Community Action of Greater Indianapolis \$225,000
 - Emergency Home repair for residents throughout Marion County
 - Joint project on behalf of Southeast Neighborhood Improvement to assist 6 homeowners with repairs
3. Central Indiana Council on Aging \$50,500
 - Rehabilitation of 25 existing elderly owned units
4. BOS Community Development Corporation \$125,000
 - Rehabilitation of 30 owner occupied units
5. Concord CDC \$140,000
 - Homeowner repair of 7 units, acquisition and rehabilitation of 2 units for homeownership
6. Westside Community Development Corporation \$300,000
 - Homeowner repair for 40 units
 - New construction of 10 units of single family homes
 - Acquisition and rehabilitation of 10 units for homeownership
7. South East Neighborhood Development \$125,000
 - Homeowner repair for 25 units
8. Southeast Neighborhood Development/Concord \$155,000
 - This project will restore two vacant apartment buildings on the near southside
Also, this project includes the construction of 22 townhomes
9. North East Economic Development Corporation \$40,000
 - Homeowner assistance in the Forest Manor Neighborhood for 7 units
10. Riley Area Revitalization Program \$10,000
 - Assist with the acquisition and rehabilitation of 5 units
11. Martin Luther King CDC \$25,000
 - Rehabilitation of 2 doubles in the Keystone Monon Neighborhood

Journal of the City-County Council

- | | |
|--|-----------|
| 12. <u>King Park CDC</u> | \$150,000 |
| • Homeowner repair for 20 units | |
| 13. <u>Mapleton-Fall Creek CDC</u> | \$175,000 |
| • 30 units with homeowner repair | |
| 14. <u>Martindale-Brightwood CDC</u> | \$220,000 |
| • To assist with homeowner repair of 20 units | |
| 15. <u>West Indianapolis CDC</u> | \$110,000 |
| • Assist 17 units with homeowner repair | |
| 16. <u>Near North CDC</u> | \$200,000 |
| • Assist 10 units with homeowner repair | |
| • Acquire and rehabilitate 6 units for homeownership | |
| 17. <u>Survive Alive</u> | \$50,000 |
| • To fund the Survive Alive Program that teaches children about fire safety techniques | |

Project 180

- | | |
|--|-----------|
| 1. <u>King Park CDC</u> | \$13,000 |
| • INET youth will learn landscape architecture and planning from Ball State professionals. They will also work with a muralist to create two murals around the King Park Neighborhood. | |
| 2. <u>Youth Preparedness Program</u> | \$11,500 |
| • This is to assist in funding an esplanade improvement project in an Eastside neighborhood. Youth will be employed to add ornamental trees, clean up and build a gazebo. | |
| 3. <u>United Northwest Area Development Corporation</u> | \$200,000 |
| • This will be used to clean up and paint houses along 30th and 29th Streets between Martin Luther King Drive and Riverside Park | |
| 4. <u>Southeast Neighborhood Development</u> | \$50,000 |
| • These funds will be used to make improvements along Prospect in the form of facade improvements and residential improvements. | |
| 5. <u>Mapleton-Fall Creek CDC</u> | \$200,000 |
| • These funds will be used to make residential improvements along Central Avenue and Delaware between Fall Creek and 34th Streets | |

TOTAL	<u>\$3,000,000</u>
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PROPOSAL NO. 208, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 208, 1995 on May 24, 1995. The proposal, sponsored by Councillor Brents, authorizes a passenger and material loading zone on Pearl Street west of Pennsylvania Street (District 16). By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by

Councillor Coughenour, for adoption. Proposal No. 208, 1995 was adopted on the following roll call vote; viz:

25 YEAS: *Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, Williams*
2 NAYS: *Beadling, Boyd*
2 NOT VOTING: *Giffin, West*

Proposal No. 208, 1995 was retitled GENERAL ORDINANCE NO. 81, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 81, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-331, Passenger and material loading zones.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-331, Passenger and material loading zones, be, and the same is hereby amended by the addition of the following, to wit:

Pearl Street, on the Northside,
from a point 25 feet west of Pennsylvania Street,
to a point 85 feet west of Pennsylvania Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Gilmer asked for consent to hear Proposal Nos. 316-319, 321-325, and 349, 1995 together. Consent was given.

PROPOSAL NOS. 316-319, 321-325, and 349, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 316-319, 321-325, and 349, 1995 on May 24, 1995. PROPOSAL NO. 316, 1995. The proposal, sponsored by Councillor SerVaas, authorizes intersection controls for the Robertson Village subdivision (District 2). PROPOSAL NO. 317, 1995. The proposal, sponsored by Councillor SerVaas, authorizes stop signs at 44th Street and Paula Lane East Drive (District 2). PROPOSAL NO. 318, 1995. The proposal, sponsored by Councillor Gray, authorizes multi-way stops at Deer Creek Avenue and Deer Creek Drive and at Deer Creek Drive, McCarty Court and Callan Drive (District 9). PROPOSAL NO. 319, 1995. The proposal, sponsored by Councillor Black, authorizes a multi-way stop at 44th Street and Park Avenue (District 6). PROPOSAL NO. 321, 1995. The proposal, sponsored by Councillor Rhodes, authorizes a multi-way stop at 53rd Street and Guilford Avenue (District 7). PROPOSAL NO. 322, 1995. The proposal, sponsored by Councillors Rhodes and Black, authorizes a multi-way stop at 51st Street and Park Avenue (District 7). PROPOSAL NO. 323, 1995. The proposal, sponsored by Councillor Mullin, authorizes a multi-way stop at Delaware Street and Griffin Road (District 20). PROPOSAL NO. 324, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Wallace Avenue and 13th Street (District 15). PROPOSAL NO. 325, 1995. The proposal, sponsored by Councillor Smith, authorizes a multi-way stop at Sleet Drive and Somers Drive (District 23). PROPOSAL NO. 349, 1995. The proposal, sponsored by Councillor Moriarty

Adams, authorizes a multi-way stop at Hawthorne Lane and 18th Street (District 15). By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Beadling, for adoption. Proposal Nos. 316-319, 321-325, and 349, 1995 were adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams
0 NAYS:
1 NOT VOTING: Giffin

Proposal No. 316, 1995 was retitled GENERAL ORDINANCE NO. 82, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 82, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16, Pg. 3	Luxembourg Ci & Baltic Pl	Luxembourg Ci	Yield
16, Pg. 4	Luxembourg Ci Bern Pl	Luxembourg Ci	Stop
16, Pg. 7	Luxembourg Ci & Dorvall Pl	Luxembourg Ci	Yield
16, Pg.15	Luxembourg Ci & Oslo Pl	Luxembourg Ci	Yield
16, Pg. 15	Luxembourg Ci & Sofia Pl	Luxembourg Ci	Yield
16, Pg. 15	Luxembourg Ci & Vienna Pl	Luxembourg Ci	Yield
16, Pg. 15	Luxembourg Ci & West 41st Ter	West 41st Ter	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 317, 1995 was retitled GENERAL ORDINANCE NO. 83, 1995 and reads as follows:

June 12, 1995

CITY-COUNTY GENERAL ORDINANCE NO. 83, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
17, Pg. 15	44th St & Paula Lane East Dr	None	None

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
17, Pg. 15	44th St & Paula Lane East Dr	44th St	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 318, 1995 was retitled GENERAL ORDINANCE NO 84, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 84, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 1	Callan Dr / McCarty Ct & Deer Creek Dr	Deer Creek Dr	Stop
9, Pg. 2	Deer Creek Av & Deer Creek Dr	Deer Creek Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 1	Callan Dr / McCarty Ct & Deer Creek Dr	None	All-Way Stop

9, Pg. 2

Deer Creek Av
& Deer Creek Dr

None

All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 319, 1995 was retitled GENERAL ORDINANCE NO. 85, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 85, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 13	44th St & Park Av	Park Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 13	44th St & Park Av	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 321, 1995 was retitled GENERAL ORDINANCE NO. 86, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 86, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 13	53rd St & Guilford Av	Guilford Av	Stop

June 12, 1995

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 13	53rd St & Guilford Av	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 322, 1995 was retitled GENERAL ORDINANCE NO. 87, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 87, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 13	51st St & Park Av	Park Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 13	51st St & Park Av	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 323, 1995 was retitled GENERAL ORDINANCE NO. 88, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 88, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
46, Pg. 7	Delaware St & Griffin Rd	Delaware St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
46, Pg. 7	Delaware St & Griffin Rd	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 324, 1995 was retitled GENERAL ORDINANCE NO. 89, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 89, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 35	Wallace Av & 13th St	Wallace Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 35	Wallace Av & 13th St	None	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 325, 1995 was retitled GENERAL ORDINANCE NO. 90, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 90, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

June 12, 1995

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40, Pg. 12	Sleet Dr & Somers Dr	Somers Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40, Pg. 12	Sleet Dr & Somers Dr	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 349, 1995 was retitled GENERAL ORDINANCE NO. 91, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 91, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 22	Hawthorne Ln & 18th St	Hawthorne Ln	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 22	Hawthorne Ln & 18th St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 326, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 326, 1995 on May 24, 1995. The proposal, sponsored by Councillor Brents, prohibits parking on Dr. Martin Luther King Jr. Street from 11th Street to 12th Street on the east side and from 10th Street to 12th Street on the west side (District 16). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it

do pass. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal No. 326, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

0 NAYS:

3 NOT VOTING: Giffin, Gray, Williams

Proposal No. 326, 1995 was retitled GENERAL ORDINANCE NO. 92, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 92, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-268 Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the deletion of the following, to wit:

Dr. Martin Luther King Jr. Street, both sides
from 10th Street to 12th Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

Dr. Martin Luther King Jr. Street, on the east side
from 11th Street to 12th Street

Dr. Martin Luther King Jr. Street, on the west side
from 10th Street to 12th Street

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Beadling in memory of Ron Carl Deer; and
- (2) Councillor Moriarty Adams in memory of Matthew Mescall.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Ron Carl Deer and of Matthew Mescall. He respectfully asked the support of fellow Councillors. He further requested

June 12, 1995

that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:13 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 12th day of June, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, JUNE 26, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:15 p.m. on Monday, June 26, 1995, with Councillor SerVaas presiding.

Councillor Beadling led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams
1 ABSENT: Giffin

A quorum of twenty-eight members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Brents introduced Dr. John Pless, Indiana University Medical Center, and East Africa exchange students Frank Rono, John Kariri, Erich Bartuiyot, Cynthia Misumi and Kathleen Rono. Councillor Curry introduced Carol Curl, City-County Council candidate for District 17. Councillor Hinkle introduced Ernestine Nicholson and Frances Maynard, Wayne Township Advisory Board members. President SerVaas introduced Esperanza Zendejas, Indianapolis Public Schools Superintendent.

**PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND
COUNCIL RESOLUTIONS**

PROPOSAL NO. 426, 1995. The proposal, sponsored by Councillors Boyd, SerVaas, and McClamroch, welcomes Dr. Esperanza Zendejas to the City and into the position of

Superintendent of Public Schools. Councillor Boyd read the proposal and presented a copy of the document to Dr. Esperanza Zendejas. Dr. Zendejas stated that she hopes to serve the children of Indianapolis with much tenacity and dedication while moving the school system forward. She urged the Council and the Community to support the many changes that will improve the school system.

Councillor Boyd moved, seconded by Councillor McClamroch, for adoption. Proposal No. 426, 1995 was adopted by a unanimous voice vote.

Proposal No. 426, 1995 was retitled SPECIAL RESOLUTION NO. 55, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 55, 1995

A SPECIAL RESOLUTION welcoming Dr. Esperanza Zendejas to the city and into the position of Superintendent of Public Schools.

WHEREAS, the City of Indianapolis has recently received into the community a newly selected Superintendent of Public Schools; and

WHEREAS, Indianapolis and its surrounding jurisdictions and neighbors fully realize that the viability of an urban area largely depends upon the quality of its full access institutions of public education and the tenor set by their policy makers and administrators; and

WHEREAS, in great part, the commercial and cultural enterprise of a city relies upon having the literate and appreciative workforces and audiences fashioned in large measure out of the formal education environment; and

WHEREAS, the Indianapolis City-County Council, while realizing the statutory distinctions in authority and responsibility between local government and independently elected education policy makers, also realizes the need for partnership and cooperative effort toward the realization of commonly held goals; and

WHEREAS, the stewardship of our city's resources and the guardianship of our city's youth are inseparable trusts to which we should all attend; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City of Indianapolis, through its popularly elected City-County Council, welcomes Dr. Esperanza Zendejas to her new home as citizen in one of the nation's great cities, and into her new position as Superintendent of Schools of the state's largest school system.

SECTION 2. The Council further recognizes the challenges of education and general governance facing the city and recommits itself to cooperative effort in finding fair and appropriate solutions and in making the city and the schools within it the best in the nation.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Borst introduced Marcia Oliver, Associate Manager, Circle Centre Mall (the "Mall") and Claypool Courts. He asked for consent for her to speak about the job fair for the Mall that will occur in July. Consent was given.

Ms. Oliver stated that on July 10, 11, and 12, 1995 the tenants of the Mall will be participating in a job fair located at the Indiana Roof. She stated that the 2,000 employment positions available range from custodians to accountants.

June 26, 1995

Ms. Oliver then stated that in order to encourage people to attend (1) Community Centers of Indianapolis will be providing a free shuttle service to the job fair on every day of the fair; (2) Metro Bus will be providing a free ticket home from the job fair, and (3) Denison Parking Garages will offer a discounted \$1.00 parking rate on the days of the fair.

Ms. Oliver urged the Council to promote the job fair among their constituents and attend the grand opening of the Mall.

OFFICIAL COMMUNICATIONS

The President called For the reading of Official Communications. The Clerk Read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, June 26, 1995, at, 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

June 13, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Thursday, June 15, 1995, a copy of a NOTICE TO TAXPAYERS of Public Hearing on Proposal Nos. 354, 373, 376, and 377, 1995, to be held on Monday, June 26, 1995, at 7:00 p.m., in the City-County Building.

Respectfully,
s/Peggy Stawick
Assistant Clerk of the City-County Council

June 26, 1995

Dr. Beurt SerVaas
City-County Council
Indianapolis, IN 46204

Dear Dr. SerVaas:

Enclosed are the signed ordinances relating to County salary increases. I signed the ordinances very reluctantly. I fundamentally disagree with funding salary increases from budget balances, especially since the county has not paid back the \$400,000 it owes the City for last year's Sheriff's contract. I signed the ordinances, however, based on the following understanding, which should help increase chances of us providing a new jail expansion which is necessary to reduce the crime rate. This agreement includes the following components:

1. The courts will not seek a 1996 budget which exceeds the 1995 budget plus the 2% increase. I understand the courts will, though, ask for an outside-the-guideline request for probation officers. This item has been submitted for the past 5 years and Council has refused to act upon it.

Journal of the City-County Council

The judges will vigorously seek efficiencies associated with consolidation, employing an outside consultant to help do so.

2. The Sheriff will give 2% increases (other than step increases) to correctional officers only when they have over 6 years experience.

Yours truly,
s/Stephen Goldsmith

June 16, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

GENERAL ORDINANCE NO. 81, 1995 - authorizes a passenger and material loading zone on Pearl Street west of Pennsylvania Street (District 16)

GENERAL ORDINANCE NO. 82, 1995 - authorizes intersection controls for the Robertson Village subdivision (District 2)

GENERAL ORDINANCE NO. 83, 1995 - authorizes stop signs at 44th Street and Paula Lane East Drive (District 2)

GENERAL ORDINANCE NO. 84, 1995 - authorizes multi-way stops at Deer Creek Avenue and Deer Creek Drive and at Deer Creek Drive, McCarty Court and Callan Drive (District 9)

GENERAL ORDINANCE NO. 85, 1995 - authorizes a multi-way stop at 44th Street and Park Avenue (District 6)

GENERAL ORDINANCE NO. 86, 1995 - authorizes a multi-way stop at 53rd Street and Guilford Avenue (District 7)

GENERAL ORDINANCE NO. 87, 1995 - authorizes a multi way stop at 51st Street and Park Avenue (District 7)

GENERAL ORDINANCE NO. 88, 1995 - authorizes a multi-way stop at Delaware Street and Griffin Road (District 20)

GENERAL ORDINANCE NO. 89, 1995 - authorizes a multi-way stop at Wallace Avenue and 13th Street (District 15)

GENERAL ORDINANCE NO. 90, 1995 - authorizes a multi-way stop at Sleet Drive and Somers Drive (District 23)

GENERAL ORDINANCE NO. 91, 1995 - authorizing a multi way stop at Hawthorne Lane and 18th Street (District 15)

GENERAL ORDINANCE NO. 92, 1995 - removes parking restrictions on Dr. Martin Luther King Jr. Street on the east side and from 10th Street to 11th Street (District 16)

FISCAL ORDINANCE NO. 48, 1995 - an appropriation of \$252,750 for acquisition of laboratory instrumentation and to provide an educational stipend for laboratory employees for the Forensic Services Agency financed by tuition payments to the County General Fund from the government of Abu Dhabi covering eight officers being trained by the Forensic Services Agency

FISCAL ORDINANCE NO. 49, 1995 - an appropriation to pay for salary increases for the Information Services Agency financed by revenues from the Information Services Internal Services Fund

FISCAL ORDINANCE NO. 50, 1995 - an appropriation to pay salary increases for employees of the County Assessor and the nine Township Assessors financed by revenues from the Property Reassessment Fund

FISCAL ORDINANCE NO. 51, 1995 - an appropriation to pay salary increases for all the County agencies financed by revenues from the County General Fund

FISCAL ORDINANCE NO. 52, 1995 - an appropriation to pay salary increases for the Metropolitan Emergency Communications Agency financed by revenues from the Metropolitan Emergency Communications Agency Fund

June 26, 1995

FISCAL ORDINANCE NO. 53, 1995 - appropriates an additional \$2,814,548 in Community Block Grant funds for redevelopment block grant activities financed by additional grants

FISCAL ORDINANCE NO. 54, 1995 - appropriates an additional \$2,814,548 of Community Development Block Grant funds for the Redevelopment General Fund for block grant activities: economic development, public services, housing, public improvements and support services financed by grant funds

FISCAL ORDINANCE NO. 55, 1995 - an appropriation of \$230,900 to continue the County comprehensive traffic safety program through the Prosecuting Attorney financed by a federal grant

FISCAL ORDINANCE NO. 56, 1995 - an appropriation of \$445,100 to pay for law enforcement personnel participating in the multi-jurisdictional pursuit of illegal drug activities financed by revenues from a federal grant

FISCAL ORDINANCE NO. 57, 1995 - an appropriation of \$197,459 for the Marion County Justice Agency to purchase local area network equipment to provide detailed information (reports and graphs) relating to violent crime financed by a federal grant

FISCAL ORDINANCE NO. 58, 1995 - an appropriation of \$335,000 to support direct acquisition of capital items by a qualified Community Development Corporation financed by a transfer of funds within DMD's Redevelopment General Fund

SPECIAL RESOLUTION NO. 30, 1995 - remembering the life of Richard "Dick" Hunt

SPECIAL RESOLUTION NO. 44, 1995 - recognizes the newest development phase of the White River State Park

SPECIAL RESOLUTION NO. 45, 1995 - concerns the United Way of Central Indiana's Day of Caring

SPECIAL RESOLUTION NO. 46, 1995 - recognizing the Marion County Sheriff's Police Athletic League Playground Park at 42nd Street and Mitthoefer Road

SPECIAL RESOLUTION NO. 47, 1995 - determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Public Safety

SPECIAL RESOLUTION NO. 48, 1995 - approving the disbursement of \$3,000,000 of Community Development Block Grant funds

Respectfully,
s/Stephen Goldsmith, Mayor

July 1, 1995

Dr. Beurt SerVaas, President
City-County Council
1000 Waterway Boulevard
Indianapolis, IN 46202

Dear Beurt:

This is to inform you that I am tendering my resignation from the City-County Council effective July 1, 1995.

It certainly has not been an easy decision. However, I do not feel I can serve the people in my Council District #12, as they should be served.

Over the past 17 plus years it has been my pleasure to serve on the Council and be a part of what has made Marion County what it is.

My best wishes in your continued service during these challenging times.

Sincerely,
s/Betty Ruhmkorff
Councilwoman, District 12

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

**PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND
COUNCIL RESOLUTIONS**

PROPOSAL NO. 420, 1995. The proposal, sponsored by Councillor Hinkle, recognizes the Ben Davis Special Olympics Volleyball Team. Councillor Hinkle read the proposal and presented a copy of the document to team members Randy Baire, LeShawn Brown, Anthony Hughes, James Jenkins, Jason McComb, Paul Bilak-Philhower, Joe Stevenson, Michael Wallace, Brian Atwood and David Young; Tammy Haley, Coach; and Anita Risch, Assistant Coach. Coach Haley and team member Anthony Hughes expressed appreciation for the recognition. Councillor Hinkle moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 420, 1995 was adopted by a unanimous voice vote.

Proposal No. 420, 1995 was retitled SPECIAL RESOLUTION NO. 49, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 49, 1995

A SPECIAL RESOLUTION recognizing the Ben Davis Special Olympics Volleyball Team.

WHEREAS, this July, 7,000 athletes from 140 countries, 2,000 coaches, 15,000 families and friends, plus thousands more spectators, media and volunteers will all become a part of the 1995 Special Olympics World Summer Games at several college campuses and cities in Connecticut; and

WHEREAS, the 1995 Special Olympics will feature competition in 19 sports, Opening Ceremonies, Tall Ships, fireworks and festivals; and

WHEREAS, in attendance at the Games will be the Ben Davis Special Olympics Volleyball Team and many of their parents; now, therefore.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis City-County Council recognizes the Ben Davis Special Olympics Volleyball Team as it departs to the 1995 Special Olympics World Summer Games.

SECTION 2. The Council hopes that the Ben Davis team will carry on the winning and good sportsmen-like ways of teams from Indianapolis and from Ben Davis High School.

SECTION 3. The Council specifically recognizes team members Randy Baire, LeShawn Brown, Anthony Hughes, James Jenkins, Jason McComb, Paul Bilak-Philhower, Joe Stevenson, Michael Wallace, Brian Atwood and David Young, and Coach Tammy Haley and Assistant Coach Anita Risch.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 421, 1995. The proposal, sponsored by Councillor Hinkle, recognizes the Wayne Township Fire Department. Councillor Hinkle read the proposal and presented a copy of the document to Larry W. Curl, Chief; Steve Sommers, Deputy Chief; Alan Schrum, District Chief; and Todd Taylor, District Chief. Also present were Ernestine Nicholson and Frances Maynard, Wayne Township Advisory Board members; and Mrs. Carol Curl. Chief Curl, Ernestine Nicholson, and Frances Maynard expressed appreciation for the recognition. Councillor Hinkle moved, seconded by Councillor Golc, for adoption. Proposal No. 421, 1995 was adopted by a unanimous voice vote.

June 26, 1995

Proposal No. 421, 1995 was retitled SPECIAL RESOLUTION NO. 50, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 50, 1995

A SPECIAL RESOLUTION recognizing the Wayne Township Fire Department.

WHEREAS, Marion County's Wayne Township Fire Department of 511 volunteers and 26 paid personnel feel strongly about legislation that impacts the safety of citizens such as smoke detectors, sprinklers and arson crimes; and

WHEREAS, toward that end, the Wayne Township Fire Department has actively supported the Congressional Fire Services Institute since its inception in 1989, and Wayne's Chief, Larry W. Curl, is President of the Indiana Fire Services Institute; and

WHEREAS, the Department has been an innovator in around-the-clock firehouse staffing by volunteers, is extremely active in the community promoting fire safety, and has built a mobile public education trailer to teach people about exits from homes in the event of a disaster; and

WHEREAS, earlier this month at the national Institute's annual dinner which was attended by President Bill Clinton, members of Congress and 2,000 members of the fire and emergency services community, the Wayne Township Fire Department was awarded the Congressional Fire Services Institute's Partnership Award for the Department's work in fire and life safety issues; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the Wayne Township Fire Department for its ongoing work in safety education, community involvement, fire safety and its recent national award.

SECTION 2. The Council specifically commends the Wayne Township Trustee, Township Board, Fire Chief and each of the township's firefighters for their diligent work.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 422, 1995. The proposal, sponsored by Councillors Franklin and Short, recognizes Christine "Chris" Johnson. Councillor Short read the proposal and presented a copy of the document to Chris Johnson, who expressed appreciation for the recognition. Also present were John von Arx, Marion County Auditor; Cindy Land, Deputy Auditor; Bill Lantz, Deputy Auditor; and Maryjo Johnson, daughter. Councillor Short moved, seconded by Councillor Franklin, for adoption. Proposal No. 422, 1995 was adopted by a unanimous voice vote.

Proposal No. 422, 1995 was retitled SPECIAL RESOLUTION NO. 51, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 51, 1995

A SPECIAL RESOLUTION recognizing Christine "Chris" Johnson.

WHEREAS, Christine "Chris" Johnson, a native of Greencastle, Indiana, has worked for local government for over 22 years; and

WHEREAS, she worked under Governors Welsh, Branigin and Whitcomb, at the Center Township Assessor's Office, and for five Marion County Auditors: Jerome Forestal, Harry Eakin, Faye Mowery, Curt Coonrod and the current Auditor, John von Arx; and

Journal of the City-County Council

WHEREAS, as the head Real Estate Assistant in the Auditor's Office, Chris has been extremely experienced, loyal and a very dedicated public servant; and

WHEREAS, through the decades Chris has also been active in the political process working at the polls and is proud that she has met and shaken hands with U.S. Presidents Truman, Johnson, Carter and Kennedy; and

WHEREAS, at the end of June Chris Johnson is retiring, and her outstanding professional skill, knowledge and initiative will be sorely missed; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes Christine "Chris" Johnson for her long service to the people of this county.

SECTION 2. The Council wishes Chris well as she has more time for the special loves of her life: her children Michelle, Deborah and Maryjo, her grandchildren, cooking, travel, bingo and Holy Name Catholic Church in Beech Grove.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 423, 1995. The proposal, sponsored by Councillor Dowden, recognizes J. Lloyd Grannan. Councillor Dowden read the proposal and presented a copy of the document to J. Lloyd Grannan, who expressed appreciation for the recognition. Also present were Jill Schultz, daughter; and David Grannan, son. Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 423, 1995 was adopted by a unanimous voice vote.

Proposal No. 423, 1995 was retitled SPECIAL RESOLUTION NO. 52, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 52, 1995

A SPECIAL RESOLUTION recognizing J. Lloyd Grannan.

WHEREAS, J. Lloyd Grannan, MSH, REHS, has been with the Bureau of Environmental Health of the Marion County Health Department for over 36 years; and

WHEREAS, as Coordinator of Environmental Education, Mr. Grannan spent an extensive amount of time with food and restaurant sanitation, helped plan environmental health strategies for the Pan Am Games and the Swine Flu Immunization Program, served as the local liaison with state and federal health and agriculture agencies, provided public information and for the past 16 years maintained Marion County's animal bite records; and

WHEREAS, Mr. Grannan is a graduate of Purdue and Indiana State University, and has been a strong supporter of professionalism--as evidenced by his holding Indiana Registered Professional Sanitarian Certificate #19; and

WHEREAS, since 1989, he has served as Chairman of the Marion County Animal Control Board, and has always maintained an open and cordial working relationship with the Council; and

WHEREAS, Mr. Grannan has very capably labored for our basic health and sanitation standards, and he generously gave of his experience and knowledge to his profession and to the Animal Control Board; and

WHEREAS, Lloyd Grannan has announced that he intends to retire on June 30, 1995, from the Health Department and to relinquish his seat on the Animal Control Board; now, therefore:

June 26, 1995

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes J. Lloyd Grannan and his nearly four decades of service to the citizens of Marion County.

SECTION 2. The Council wishes him well in the future.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 424, 1995. The proposal, sponsored by Councillors Rhodes, Schneider, and Dowden, concerns movie video tape distribution by the Indianapolis-Marion County Public Library. Councillor Rhodes moved, seconded by Councillor Schneider, to refer Proposal No. 424, 1995 to the Municipal Corporations Committee. Proposal No. 424, 1995 was referred to the Municipal Corporations Committee by a unanimous voice vote.

PROPOSAL NO. 425, 1995. The proposal, sponsored by Councillor O'Dell, recognizes the contributions of Councillor Betty Ruhmkorff. Councillor O'Dell read the proposal and presented a copy of the document to Betty Ruhmkorff, who expressed appreciation for the recognition. Also present was Jack Cottey, Marion County Sheriff. Councillor O'Dell moved, seconded by Councillor Beadling, for adoption. Proposal No. 425, 1995 was adopted by a unanimous voice vote.

Proposal No. 425, 1995 was retitled SPECIAL RESOLUTION NO. 54, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 54, 1995

A SPECIAL RESOLUTION recognizing the contributions of Councillor Betty Ruhmkorff.

WHEREAS, Betty Ruhmkorff was sworn in as a member of the Council by Council Clerk Beverly Rippy on Monday night, April 10, 1978; and

WHEREAS, she took over representing the Twelfth Council District from Donald McPherson; and

WHEREAS, that year William Hudnut was Mayor, Phillip Hinkle was the Council's Research Director and Stuart Rhodes was its Fiscal Analyst, Ray Crowe was Parks Director, Jack Cottey and Joe McAtee were IPD Deputy Chiefs, Fred Madorin and Keith Otto were the top two staffers in the City's Department of Transportation, Patricia Nickell was on the City's License Review Board, Rosemary Clarke was on a Zoning Appeals Board, Carlton Curry was on the Transportation Board and Harold Kohlmeier and Charlie Applegate wore black robes and were called "your honor;" and

WHEREAS, her first vote was for Councillor Durnil's Proposal to designate part of West 16th Street as the "Hulman Memorial Way," her second vote was to spend the money to make the environmental court a full-time court, and later that evening she voted with the 14-15 majority to deny spending the money to send a judge to a conference in Reno; and

WHEREAS, during the next 17 years on the Council, Councillor Ruhmkorff voted upon approximately 10,000 Proposals, always being extra sensitive to represent her constituents, her Party and the plain everyday working folks of the city who get things done; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the service of Councillor Betty Ruhmkorff from 1978 through 1995.

Journal of the City-County Council

SECTION 2. The Council will miss her insights, independent spirit and wealth of experience; and wish her well in her retirement years.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 275, 1995. The proposal, sponsored by Councillor McClamroch, reappoints Judy Seubert to the Board of Ethics. Councillor McClamroch moved, seconded by Councillor Curry, for adoption. Proposal No. 275, 1995 was adopted by a unanimous voice vote.

Proposal No. 275, 1995 was retitled COUNCIL RESOLUTION NO. 55, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 55, 1995

A COUNCIL RESOLUTION reappointing Judy Seubert to the Board of Ethics.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Ethics, the Council appoints:

Judy Seubert

SECTION 2. The appointment made by this resolution is for a term ending April 13, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

PROPOSAL NO. 343, 1995. The proposal, sponsored by Councillor McClamroch, appoints James Caughey to the Beech Grove Library Board. Councillor McClamroch moved, seconded by Councillor Schneider, for adoption. Proposal No. 343, 1995 was adopted by a unanimous voice vote.

Proposal No. 343, 1995 was retitled COUNCIL RESOLUTION NO. 56, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 56, 1995

A COUNCIL RESOLUTION appointing James Caughey to the Beech Grove Library Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Beech Grove Library Board, the Council appoints:

James Caughey

SECTION 2. The appointment made by this resolution is for a term ending March 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 412, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the disbursement of the additional

\$2,814,548 of Community Development Block Grant funds appropriated June 12, 1995"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 413, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Dwelling Districts Zoning Ordinance to provide for a 3000 foot separation between group homes for the mentally ill"; and the President referred it to the Metropolitan Development Committee.

Councillor West asked for consent to place Proposal Nos. 412 and 413, 1995 on the agenda. Both proposals have been recommended by the committee but were not yet introduced. Consent was given.

PROPOSAL NO. 414, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which recodifies the cable television regulations"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 415, 1995. Withdrawn.

PROPOSAL NO. 416, 1995. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$44,031 for the Franklin Township Assessor to pay relocation expenses financed from the County General Fund balances"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 417, 1995. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance an appropriation of \$2,720 for the Superior Court, Criminal Division, Room Three, to pay for additional supply, office equipment, and parking expenses financed by a transfer of funds within the court's County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 418, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance an appropriation of \$199,877 for Community Corrections to continue the Craine House Family Living Program financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 419, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance authorizing the City to issue its Resource Recovery Revenue Refunding Bonds (Ogden Martin Systems of Indianapolis, Inc. Project), Series 1996"; and the President referred it to the Public Works Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 408, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 408, 1995 on June 15, 1995. The proposal amends S.R. No. 93, 1994, by extending the expiration date for Pleasant Run Children's Homes, Inc. through December 31, 1995, and changing the proposed location of the project to 2405 North Tibbs Avenue (District 16). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Smith, for adoption. Proposal No. 408, 1995 was adopted on the following roll call vote; viz:

Journal of the City-County Council

22 YEAS: *Beadling, Black, Borst, Brents, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Williams*

0 NAYS:

6 NOT VOTING: *Boyd, Coughenour, Golc, Moriarty Adams, Ruhmkorff, West*

1 NOT PRESENT: *Giffin*

Proposal No. 408, 1995 was retitled SPECIAL RESOLUTION NO. 56, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 56, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 93, 1994 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, City-County Special Resolution No. 93, 1994 (the "Original Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana for the Issuer to either acquire certain economic development facilities and sell or lease the same to Pleasant Run Children's Homes, Inc., an Indiana not-for-profit, 501(c)(3) corporation (the "Applicant") or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities as described in the Original Inducement Resolution were to consist of the acquisition, renovation, installation and equipping of an approximately 130,000 square foot building located at approximately 2300 Lafayette Road, Indianapolis, Indiana on approximately 14 acres of land which will be used by the Applicant to provide residential treatment services for children ages 6-18 years and to provide office space for Home-Based counseling, Therapeutic Foster Care, Residential Group Homes and Wrap-Around services; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Original Project");

WHEREAS, the Original Inducement Resolution contained an expiration date of June 30, 1995 unless the economic development revenue bonds for the Original Project (as defined in the Original Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the terms of the Original Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Applicant has shown good cause to extend the aforesaid expiration date and additionally the Applicant has further requested that the Original Inducement Resolution be amended to also reflect that the Original Project is being amended so that it will now be developed by the Applicant at 2400 North Tibbs Avenue, Indianapolis, Indiana on approximately 26 acres of land and will consist of the acquisition, renovation and equipping of the existing Noble Centers facility at the aforementioned location which will be used by the Applicant to provide residential treatment services for children ages 6-18 years and to provide office space for Home-Based counseling, Therapeutic Foster Care, Residential Group Homes and Wrap-Around services; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Revised Project"); and

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (fifty (50) jobs at the end of one year and fifty-six (56) at the end of three years plus the creation of a construction job payroll) and the creation of business opportunities to be achieved by the acquisition, renovation, installation and equipping of the Revised Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the acquisition, renovation, installation and equipping of the Revised Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Seven Million Six Hundred Thousand Dollars (\$7,600,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, renovation, installation and equipping of the Revised Project and the sale or leasing of the Revised Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation, installation and equipping of the Revised Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Revised Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires December 31, 1995, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Revised Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Revised Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Revised Project and for additions to the Revised Project, including the costs of issuance (providing that the financing of such addition or additions to the Revised Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project and the Revised Project incurred after the date which is sixty (60) days prior to the adoption of City-County Special Resolution No. 93, 1994, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, of the Project and the Revised Project as well as all costs of the acquisition, renovation, installation and equipping of the Revised Project will be permitted to be included as part of the bond issue to finance said Revised Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Revised Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Sec. 1.150-2.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 409, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 409, 1995 on June 15, 1995. The proposal amends S.R. No. 54, 1994, by extending the expiration date for North American Laboratory Company and SOHL Associates through December 31, 1995 (District 9). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Mullin, for adoption. Proposal No. 409, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Williams

0 NAYS:

4 NOT VOTING: Black, Boyd, Ruhmkorff, West

1 NOT PRESENT: Giffin

Proposal No. 409, 1995 was retitled SPECIAL RESOLUTION NO. 57, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 57, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 54, 1994, as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 54, 1994, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by North American Laboratory Company or a to-be-formed corporation, partnership or limited liability company, the shareholders, partners or members of which will be existing shareholders of North American Laboratory Company (Ronald H. Stern, Michael R. Oestreicher, Diana Oestreicher and Phillip E. Himelstein) which Inducement Resolution set an expiration date of June 30, 1995 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the city, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, the proposed economic development facilities will now be developed by SOHL Associates, LLC, an Indiana limited liability company (the "Company"); and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of June 30, 1995, contained therein and replacing said date with the date of December 31, 1995 and by approving and confirming that the proposed economic development facilities will now be developed by SOHL Associates, LLC, an Indiana limited liability company (the "Company").

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Sec. 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

June 26, 1995

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 410, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 410, 1995 on June 15, 1995. The proposal amends S.R. No. 84, 1990, by extending the expiration date for Meadows Revival, Inc. through December 31, 1995 (District 11). By a 6-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal No. 410 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Williams

0 NAYS:

4 NOT VOTING: Franklin, Rhodes, Ruhmkorff, West

1 NOT PRESENT: Giffin

Proposal No. 410, 1995 was retitled SPECIAL RESOLUTION NO. 58, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 58, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 84, 1990, as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 84, 1990, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Meadows Revival, Inc. (the "Company") which Inducement Resolution set an expiration date of June 30, 1995 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the city, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of June 30, 1995, contained therein and replacing said date with the date of July 31, 1995.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Sec. 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 411, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 411, 1995 on June 15, 1995. The proposal is an Inducement

Resolution for Sutton Place Apartments, L.P., an Indiana limited partnership, to proceed with the acquisition, renovation and equipping of the existing 360-unit multi-family residential rental project located at 9350 East 43rd Street on approximately 35 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 14). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Williams, for adoption. Proposal No. 411, 1995 was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Williams

0 NAYS:

3 NOT VOTING: Moriarty Adams, Ruhmkorff, West

1 NOT PRESENT: Giffin

Proposal No. 411, 1995 was retitled SPECIAL RESOLUTION NO. 59, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 59, 1995

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, Sutton Place Apartments, L.P., an Indiana limited partnership (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, renovation and equipping of the existing three hundred sixty (360) unit multi-family residential facility located at 9350 East 43rd, Indianapolis, Indiana on approximately 35 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (ten (10) jobs) plus the creation of a construction job payroll and the creation of business opportunities to be achieved by the acquisition, renovation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Sec. 42 of the Internal Revenue Code of 1986, as amended or any successor section thereof in connection with the Project and the Indiana Housing Finance Authority;

WHEREAS, the acquisition, renovation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of

industry, the creation of business opportunities, and the retention of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Seven Million Dollars (\$7,000,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (I) subject to the Applicant making and in good faith pursuing a request to the Issuer to vacate a portion of Meadowlark Drive to be agreed upon by the Issuer and the Applicant, it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires December 31, 1995, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, renovation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Sec. 1.150-2.

SECTION 5. The City-County Council recognizes that the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Sec. 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 427-428, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 14, 1995." The Council did not schedule Proposal Nos. 427-428, 1995 for hearing pursuant to IC-36-7-4-608. Proposal Nos. 427-428, 1995 were retitled REZONING ORDINANCE NOS. 89-90, 1995 and are identified as follows:

REZONING ORDINANCE NO. 89, 1995. 95-Z-53. WASHINGTON TOWNSHIP.

COUNCILMANIC DISTRICT # 3.

8101 DEAN ROAD (Approximate Address), INDIANAPOLIS.

SYCAMORE SPRINGS DEVELOPMENT GROUP, LLC, by Philip A. Nicely, requests the rezoning of 129.5 acres, being in the SU-3 (FF), C-1 (FF), D-A (FF) Districts, to the development with a total of 392 dwelling units, consisting of 322 single-family units and 70 townhouse units and 5 acres of commercial development.

REZONING ORDINANCE NO. 90, 1995. 95-Z-73 (Amended). PERRY TOWNSHIP.

COUNCILMANIC DISTRICT #24.

4784 EAST EDGEWOOD AVENUE (Approximate Address), INDIANAPOLIS.

TIMBER GROVE, INC., by Michael J. Kias, requests the rezoning of 11.38 acres, being in the D-A District, to the D-3 classification to provide for single-family residential development.

PROPOSAL NOS. 429-436, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 22, 1995."

Councillor Smith made the following motion:

Mr. President:

I move that Proposal No. 429, 1995 (Rezoning Case 95-Z-58) be scheduled for a hearing before this Council at its next regular meeting on July 17, 1995 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

s/Councillor David Smith

Proposal No. 429, 1995 was scheduled for public hearing by consent. Proposal No. 429, 1995 is identified as follows:

REZONING PETITION NO. 95-Z-58. FRANKLIN TOWNSHIP.

COUNCILMANIC DISTRICT #23.

5401 EAST SOUTHPORT ROAD (Approximate Address), INDIANAPOLIS.

REGENCY WINDSOR DEVELOPMENT, INC., by Philip A. Nicely, requests the rezoning of 44 acres, being in the D-A District, to the D-6II classification to provide for development of an apartment village.

The Council did not schedule Proposal Nos. 430-436, 1995 for hearing pursuant to IC-36-7-4-608. Proposal Nos. 430-436, 1995 were retitled REZONING ORDINANCE NOS. 91-97, 1995 and are identified as follows:

REZONING ORDINANCE NO. 91, 1995. 95-Z-86. FRANKLIN TOWNSHIP.

COUNCILMANIC DISTRICT #23.

6673 SOUTH EMERSON AVENUE (Approximate Address), INDIANAPOLIS.

EMERSON WOODS LLC, by Raymond Good, requests the rezoning of 19.209 acres, being in the D-A (FF) (FW) District, to the D-P (FF) (FW) classification to provide for a planned unit development condominium project, consisting of duplexes and 4-unit buildings totaling 84 units.

REZONING ORDINANCE NO. 92, 1995. 95-Z-61. DECATUR TOWNSHIP.

COUNCILMANIC DISTRICT #19.

7531 TROTTER ROAD (Approximate Address), INDIANAPOLIS.

LARRY D. AND KIM M. MCELROY, by Raymond Good, request the rezoning of 0.75 acres, being in the D-A District to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 93, 1995. 95-Z-67. FRANKLIN TOWNSHIP.

COUNCILMANIC DISTRICT #23.

7881 SOUTH EMERSON AVENUE (Approximate Address), INDIANAPOLIS.

THARP INVESTMENTS, by Peter D. Cleveland, requests the rezoning of 4.5 acres, being in the D-A District, to the C-3 classification to provide for a commercial retail center.

June 26, 1995

REZONING ORDINANCE NO. 94, 1995. 95-Z-71. CENTER TOWNSHIP.
COUNCILMANIC DISTRICT #16.

501 MADISON AVENUE (Approximate Address), INDIANAPOLIS.

JOSEPH AND MARGARET PEARSON request the rezoning of 0.33 acres, being in the I-3-U (RC) District, to the CBD-2 (RC) classification to provide for a 23 unit apartment complex, with 24 interior parking spaces, tenant storage and common area.

REZONING ORDINANCE NO. 95, 1995. 95-Z-82. DECATUR TOWNSHIP.
COUNCILMANIC DISTRICT #19.

6450 WEST HANNA AVENUE (Approximate Address), INDIANAPOLIS.

DOGLOO, INCORPORATED, by Joseph M. Scimia, requests the rezoning of 1.31 acres, being in the I-2-S District, to the I-3-S classification to provide for industrial use.

REZONING ORDINANCE NO. 96, 1995. 95-Z-83. PERRY TOWNSHIP.
COUNCILMANIC DISTRICT #24.

2401 NATIONAL AVENUE (Approximate Address), INDIANAPOLIS.

PRIMO CATERING AND BANQUET HALL, INC., by David Gilman, requests the rezoning of 5.381 acres, being in the D-7 District, to the C-S classification to provide for a 28,000 square foot catering hall, with a seating capacity of 1,000.

REZONING ORDINANCE NO. 97, 1995. 95-Z-84. PERRY TOWNSHIP.
COUNCILMANIC DISTRICT #24.

2405 NATIONAL AVENUE (Approximate Address), INDIANAPOLIS.

LA ROSA ENTERPRISES, INC., by David Gilman, requests the rezoning of 3.639 acres, being in the D-7 District, to the C-S classification to provide for a mixed-use office and warehouse facility, limited to C-1 and I-2-S uses.

SPECIAL ORDERS - PUBLIC HEARING

Councillor Dowden asked for consent to hear Proposal No. 354, 1995 at this time. Consent was given.

[Clerk's Note: Councillor Franklin stated that he would like the record to reflect that he abstained from voting on Proposal No. 410, 1995 due to a conflict of interest.]

PROPOSAL NO. 354, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 354, 1995 on May 31, 1995. The proposal is an appropriation of \$102,315 for the County Auditor to pay the 1995 rent payments for the Family Advocacy Center (the "Center") financed by revenues from the County General Fund. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:57 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption.

Councillor Jimison stated that this is a vital program and urged the Council to support the proposal.

Councillor Golc asked if monies were appropriated for the Center's rent payments in the 1995 budget. John von Arx, Marion County Auditor, answered in the affirmative. Councillor Golc asked why the Center is now unable to pay its rent. Mr. von Arx stated that the Board for the Center was supposed to raise part of the rent money, but due to the Board's "growing pains" the goal was not met. However, the Board has been diligently working to make up for the shortfall. Councillor Golc asked what measures have been taken to insure that the same situation does not arise next year. Mr. von Arx stated that the Board is actively seeking other Federal grants. Mr.

von Arx also stated that the Board has been restructured in order to assure that there will be proper management.

Councillor West stated that the Center is paying rent for 28% of the building it occupies when the Center actually occupies only 11% of the space. Mr. West stated that proper rent allocation would reduce the deficit and asked William G. Lantz, III, Deputy Auditor, to investigate the matter. Mr. Lantz agreed.

Councillor Schneider stated that he is against this proposal. He stated that the Council should not be "bailing out" other agencies that have rent problems. He also suggested that there are other, more economical, buildings to rent within the city.

Councillor Beadling asked if the County will have to pay the rent even if this proposal is not passed. Mr. von Arx stated that the County has an obligation to pay for the total rent for county offices housed in that building. The building is currently occupied by offices including: Marion County Sheriff, Indianapolis Police Department, Marion County Prosecutor, Child Protective Services, as well as the Center. If the rent is not paid, the Center will no longer be tenants in the building. Councillor Beadling asked if the rental lease expires at the end of 1995. Mr. von Arx answered in the negative.

Councillor McClamroch stated that he will not be supporting this proposal. He stated that the Center is a private, not-for-profit entity and the Council should not reward it for its mismanagement.

Councillor West stated that the Center is a quasi public agency with an important public function. He urged the Council to support the proposal.

Proposal No. 354, 1995 was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Short, Smith, West, Williams
3 NAYS: McClamroch, Schneider, Shambaugh
1 NOT PRESENT: Giffin

Proposal No. 354, 1995 was retitled FISCAL ORDINANCE NO. 59, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 59, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Two Thousand Three Hundred Fifteen Dollars (\$102,315) in the County General Fund for purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of County Auditor to finance 1995 rent payment for the Family Advocacy Center.

SECTION 2. The sum of One Hundred Two Thousand Three Hundred Fifteen Dollars (\$102,315) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

June 26, 1995

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>102,315</u>
TOTAL INCREASE	102,315

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>102,315</u>
TOTAL REDUCTION	102,315

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 312, 1995. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 312, 1995 on June 12, 1995. The proposal is an appropriation of \$108,000 for the Office of Youth and Family Services to provide services for families or individuals at risk of being homeless financed by additional federal grants. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:00 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Jimison, for adoption. Proposal No. 312, 1995 was adopted on the following roll call vote; viz:

20 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Short, Williams
3 NAYS: Schneider, Shambaugh, Smith
5 NOT VOTING: Beadling, Dowden, Gray, Moriarty Adams, West
1 ABSENT: Giffin

Proposal No. 312, 1995 was retitled FISCAL ORDINANCE NO. 60 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 60, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Eight Thousand Dollars (\$108,000) in the Consolidated County Fund for purposes of the Office of Youth and Family Services and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (i) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Office of Youth and Family Services to provide emergency shelter to families or individuals at risk of being homeless.

SECTION 2. The sum of One Hundred Eight Thousand Dollars (\$108,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>OFFICE OF YOUTH AND FAMILY SERVICES</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	<u>108,000</u>
TOTAL INCREASE	108,000

Journal of the City-County Council

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	
Consolidated County Fund	<u>108,000</u>
TOTAL REDUCTION	108,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 338-339, 1995. PROPOSAL NO. 338, 1995. The proposal consolidates the Ordinance Violations Bureau and the Revenue Enhancement Division within the Office of Corporation Counsel. PROPOSAL NO. 339, 1995. The proposal is an appropriation of \$758,401 to fund the Collections Division in the Office of Corporation Counsel financed by a transfer of funds from the Department of Capital Asset Management's Parking Meter Fund and from the Office of the Controller's Consolidated County Fund. Councillor Rhodes moved, seconded by Councillor Jimison, to postpone Proposal Nos. 338-339, 1995 and reassign to the Capital Asset Management Committee for further discussion. Proposal Nos. 338-339, 1995 were postponed by a unanimous voice vote.

PROPOSAL NO. 340, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 340, 1995 on June 19, 1995. The proposal is an appropriation of \$38,449 for the City-County Council to contract for a cable television consultant financed by a transfer of funds from the Cable Communications Agency's Consolidated County Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:11 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption.

Councillor Williams asked if the consultant has been named. Councillor Curry stated that the consultant will be Jayne Gerdemann.

Proposal No. 340, 1995 was adopted on the following roll call vote; viz:

20 YEAS: Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, Williams

4 NAYS: Beadling, Golc, O'Dell, Schneider

4 NOT VOTING: Black, Gilmer, Jones, West

1 NOT PRESENT: Giffin

Proposal No. 340, 1995 was retitled FISCAL ORDINANCE NO. 61, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 61, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Thirty-eight Thousand Four Hundred Forth-nine Dollars (\$38,449) in the Consolidated County Fund for purposes of the City-County Council and reducing certain other appropriations for that Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (c) and (d) of the City-County Annual Budget for 1995, be and is hereby

June 26, 1995

amended by the increases and reductions hereinafter stated for purposes of City-County Council to contract for a cable television consultant.

SECTION 2. The sum of Thirty-eight Thousand Four Hundred Forty-nine Dollars (\$38,449) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>CITY-COUNTY COUNCIL</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	<u>38,449</u>
TOTAL INCREASE	38,449

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>CABLE COMMUNICATIONS AGENCY</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	<u>38,449</u>
TOTAL REDUCTION	38,449

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 341, 1995. Councillor West stated that the Metropolitan Development Committee heard Proposal No. 341, 1995 on June 20, 1995. The proposal is an appropriation of \$3,200,000 of Community Development Block Grant Section 108 funds to carry out two economic development projects: (1) the Keystone Project, and (2) the New East Industrial Center and the Opportunity Factory. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor West stated that additional information regarding this proposal was provided after the Committee hearing and the matter should be re-examined. Councillor West moved, seconded by Councillor McClamroch, to return Proposal No. 341, 1995 to Committee for further discussion.

Councillor Hinkle asked if this proposal could be split into two components, allowing the Council to (1) vote on the project that is ready to proceed, and (2) return to Committee the project that remains in question. Robert G. Elrod, General Counsel, stated that, in theory, that could be done. Sherry Kohlmeyer, Project Administrator, Housing and Development Services, stated that the Community Development Block Grant money for these two projects must be signed for at the same time. It would be possible to sign for both projects, however, only appropriate the money for one project.

Councillor McClamroch stated that, in light of the new information, this matter needs further discussion in Committee.

Proposal No. 341, 1995 was returned to committee by the following roll call vote; viz:

22 YEAS: Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West
6 NAYS: Brents, Gray, Jimison, Moriarty Adams, Short, Williams
1 NOT PRESENT: Giffin

PROPOSAL NO. 373, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 373, 1995 on June 14, 1995. The proposal is an appropriation of \$880,309 to pay Community Corrections operational expenses for fiscal year

1995/1996 financed by state and federal grants. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:34 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hinkle, for adoption. Proposal No. 373, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:
2 NOT VOTING: *Franklin, Gray*
1 NOT PRESENT: *Giffin*

Proposal No. 373, 1995 was retitled FISCAL ORDINANCE NO. 62, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 62, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Eight Hundred Eighty Thousand Three Hundred Nine Dollars (\$880,309) in the State and Federal Grants Fund for purposes of County Auditor and Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (aa) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of County Auditor and Community Corrections to cover operational expenses for fiscal year 1995/1996.

SECTION 2. The sum of Eight Hundred Eighty Thousand Three Hundred Nine Dollars (\$880,309) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	279,509
2. Supplies	19,000
3. Other Services and Charges	516,594
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>65,206</u>
TOTAL INCREASE	880,309

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>880,309</u>
TOTAL REDUCTION	880,309

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 376, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 376, 1995 on June 14, 1995. The proposal is an appropriation of \$77,234 for Community Corrections to fund the Juvenile Court Intensive

June 26, 1995

Probation Services Program for fiscal year 1995/1996 financed by state and federal grants. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:34 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 376, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Gray*

1 NOT PRESENT: *Giffin*

Proposal No. 376, 1995 was retitled FISCAL ORDINANCE NO. 63, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 63, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Seventy-seven Thousand Two Hundred Thirty-four Dollars (\$77,234) in the State and Federal Grants Fund for purposes of the County Auditor and Community Corrections Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) and (aa) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of County Auditor and Community Corrections Agency to fund the fiscal year 1995/1996 Juvenile Court Intensive Probation Services Program.

SECTION 2. The sum of Seventy-seven Thousand Two Hundred Thirty-four Dollars (\$77,234) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	58,068
3. Other Services and Charges	4,650
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	14,516
TOTAL INCREASE	77,234

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants	77,234
TOTAL REDUCTION	77,234

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 377, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 377, 1995 on June 14, 1995. The proposal is an

appropriation of \$43,750 for Community Corrections to fund Prosecutor Newman's Project Strategic Intervention with Brothers and Sisters (Project SIBS) (formerly Project Courage) financed by state and federal grants. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:35 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 377, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT VOTING: Gray

1 ABSENT: Giffin

Proposal No. 377, 1995 was retitled FISCAL ORDINANCE NO. 64, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 64, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Forty-three Thousand Seven Hundred Fifty Dollars (\$43,750) in the State and Federal Grants Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(bb) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections funding of Prosecutor Newman's Project Strategic Intervention with Brothers and Sisters (Project SIBS) for fiscal year 1995/1996.

SECTION 2. The sum of Forty-three Thousand Seven Hundred Fifty Dollars (\$43,750) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>43,750</u>
TOTAL INCREASE	43,750

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants	<u>43,750</u>
TOTAL REDUCTION	43,750

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 232, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 232, 1995 on June 19, 1995. The proposal allows the use of benefit leave time by County employees prior to its accrual. By a 6-0 vote, the Committee

reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption.

Councillor West stated that the Council should try to keep the City and the County benefit leave policies in balance with one another.

Councillor Golc asked if the employees in question are seasonal in the sense that they work during a department's busy time as interim employees. And, if so, how do these employees accrue benefit time. Councillor Rhodes stated that the employees in question are full-time employees that work in a department that has a very seasonal schedule. This proposal would allow these employees to take benefit leave in advance of earning it in order to allow the employees to be present during the peak business times for the department.

Proposal No. 232, 1995, as amended, was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, Williams*
2 NAYS: *Gilmer, West*
2 NOT VOTING: *Dowden, Gray*
1 NOT PRESENT: *Giffin*

Proposal No. 232, 1995, as amended, was retitled GENERAL ORDINANCE NO. 93, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 93, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County," Sec. 23-26, Benefit leave.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. Sec. 23-26 of the Code of Indianapolis and Marion County is hereby amended by deleting the words stricken-through and adding the words underlined to read as follows:

Sec. 23-26. Benefit leave.

(a) Accrual schedule for city employees and applicable county and township assessors' offices whose employees normally are scheduled to work a forty (40) hour week.

- (1) Employees with less than five (5) continuous years of employment shall accrue benefit leave monthly at the rate of fourteen and sixty-six hundredths (14.66) hours per month.
- (2) Employees who have completed five (5) continuous years of employment but less than ten (10) continuous years of employment shall accrue benefit leave monthly at the rate of eighteen (18) hours per month.
- (3) Employees who have completed ten (10) years of continuous employment but less than fifteen (15) years of continuous employment shall accrue benefit leave monthly at the rate of twenty one and thirty three hundredths (21.33) hours per month.
- (4) Employees who have completed at least fifteen (15) years of continuous employment shall accrue benefit leave at the rate of twenty four and sixty six hundredths (24.66) hours per month.
- (5) Benefit leave can only accrue if the employee works, or is on a paid leave of absence, or is receiving worker's compensation (or any combination of the three) for more than half of the month.

(b) Accrual schedule for applicable county and township assessors' offices whose employees are normally scheduled to work a thirty seven and one half (37½) hour week.

(1) Employees with less than five (5) continuous years of employment shall accrue benefit leave monthly at the rate of thirteen and seventy five hundredths (13.75) hours per month.

(2) Employees who have completed five (5) continuous years of employment but less than ten (10) continuous years of employment shall accrue benefit leave monthly at the rate of sixteen and eight hundred seventy five thousandths (16.875) hours per month.

(3) Employees who have completed ten (10) continuous years of employment but less than fifteen (15) continuous years of employment shall accrue benefit leave monthly at the rate of twenty (20) hours per month.

(4) Employees who have completed at least fifteen (15) continuous years of employment shall accrue benefit leave monthly at the rate of twenty three and one hundred twenty five thousandths (23.125) hours per month.

(5) Benefit leave can only accrue if the employee works, is on a paid leave of absence, or on worker's compensation for more than half of the month.

(c) Charging benefit leave. Benefit leave shall be charged at the rate the employee is scheduled to work.

(d) Eligibility for accrual.

(1) Those employees who are starting to work on or before the fifteenth day of the month shall have their accounts credited with the appropriate benefit leave time on the first day of the month following the month in which they were hired.

(2) Those employees who are starting to work after the fifteenth day of the month shall have their accounts credited with the appropriate benefit leave time on the first day of the second month following the month in which they were hired.

(3) Employees who have been terminated or who have resigned from city or county employment will receive credit for benefit leave for the month they left employment only if they worked past the fifteenth day of the month.

(e) Use of benefit leave. The final right to approve use of benefit leave shall rest with the office, department, division, bureau or commission involved in order to preserve efficiency and provide the necessary service.

(f) Part-time employees. Part-time employees shall be entitled to benefit leave; however, leave accrual and pay for these employees shall be prorated based upon the average hours scheduled during the previous six (6) months of employment.

(g) When benefit leave does not accrue. No benefit leave shall accrue while an employee is on any leave without pay status. No temporary/seasonal or part-time/temporary employee is eligible to accrue benefit leave or pay.

(h) Benefit leave carryover.

(1) For City and County employees paid on a bi-weekly basis: Benefit leave shall be taken within the calendar year in which it is accumulated or it shall be lost. However, up to a maximum of one hundred seventy six (176) hours (one hundred sixty five (165) where appropriate) of benefit leave may be carried over from one calendar year to the next calendar year, provided the officials retain the right to schedule such carryover at their discretion in order to maintain the efficiency of the operation involved. In addition, an employee who is required by management to work during a period which the employee had been previously scheduled to take benefit leave and who is unable due to the demands of his/her position to reschedule the benefit leave for that calendar year may be allowed, with the approval of the Mayor or the appropriate elected official or agency head to carry over an additional eighty (80) hours (seventy five (75) where appropriate) of benefit leave, subject to such restrictions as may be imposed by the Mayor or the appropriate elected official or agency head. Benefit

June 26, 1995

leave in excess of the maximum carryover amount shall be added to an employee's short term disability leave bank, if that bank is not at maximum accrual.

- (2) For City employees covered by the current Master Agreement between the City and the American Federation of State, County and Municipal employees: Benefit leave shall be taken within the calendar year in which it is accumulated or it shall be lost. However, up to a maximum of the number of hours which the employee can accrue in a calendar year may be carried over from one calendar year to the next calendar year, provided the officials retain the right to schedule such carryover at their discretion in order to maintain the efficiency of the operation involved. In addition, an employee who is required by management to work during a period which the employee had been previously scheduled to take benefit leave and who is unable due to the demands of his/her position to reschedule the benefit leave for that calendar year may be allowed, with the approval of the Mayor to carry over an additional eighty (80) hours of benefit leave, subject to such restrictions as may be imposed by the Mayor. Benefit leave in excess of the maximum carryover amount shall be added to an employee's short term disability leave bank, if that bank is not at maximum accrual.

(i) Two weeks' notice. Two (2) weeks' notice must be given upon voluntary resignation in order to receive payment for accrued benefit leave.

(j) Employees who are terminated or separate employment prior to the completion of six (6) months of employment will not be paid for accumulated, unused benefit leave.

(k) Employees transferred from non-city or non-county entities. Any person who becomes an employee as a result of a transfer of the duties of his/her former employer to the city or county may, upon the approval of the appropriate official, use his/her most recent hire date with the former employer for the purpose of determining benefit leave accrual.

(l) Advance use of benefit leave. Employees of Marion County offices and agencies (including Marion County Courts) may not use or be paid for benefit leave hours before such hours are accrued. However, an elected official or agency who wishes to allow employees to use benefit leave up to one week in advance may request permission to do so from the Marion County Job Classification and Compensation Board. The Board may grant permission to the elected official to allow up to one week use of benefit leave under such circumstances as the Board deems advisable. Any benefit leave so advanced which remains outstanding upon an employee's termination shall be collected or withheld from the employee's final pay.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 365, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 365, 1995 on June 20, 1995. The proposal amends the Comprehensive Zoning Maps of Marion County by updating base maps #9, #22, #26, and #27. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Gilmer, for adoption. Proposal No. 365, 1995 was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams
0 NAYS:

3 NOT VOTING: Brents, Golc, Gray

1 NOT PRESENT: Giffin

Proposal No. 365, 1995 was retitled GENERAL ORDINANCE NO. 94, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 94, 1995

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County, Indiana, which Ordinance includes the Comprehensive Zoning Maps of Marion County, Indiana, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana Ordinances for the zoning or districting of all lands within the County for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Comprehensive Zoning Maps of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 70-AO-4, as amended, pursuant to IC 36-7-4, be further amended to update specifically base maps #9, #22, #26, and #27 of said maps to include subsequent rezonings (which Comprehensive Zoning Maps, as amended, are attached hereto, incorporated herein by reference and made a part of this Ordinance); and all land within the area noted on the four sections of base map #9, the four sections of base map #22, the four sections of base map #26, and the four sections of base map #27 are hereby classified, divided and zoned in accordance with the zoning district classifications as designated upon said Comprehensive Zoning Maps, as amended, thereby updating said Comprehensive Zoning Maps to include various rezonings by individual legal description or map amendments adopted subsequent to Metropolitan Development Commission docket number 87-AO-2.

SECTION 2. The adoption of the Comprehensive Zoning Maps, as amended, shall not supercede, amend or repeal any individually initiated rezoning ordinances approved by the City-County Council subsequent to February 22, 1995, and thereafter legally effective (which rezoning by individual legal description have not been mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said MAPS in a subsequent map updating amendment hereto).

SECTION 3. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal Airport Zoning Ordinance (94-AO-2, which includes the language of the former Airspace District Zoning Ordinance [62-AO-2] as amended) and the Airspace District Map adopted as a part thereof, establishing the Airspace District as a secondary zoning district of Marion County, Indiana.

SECTION 4. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal the Floodway and Floodway District Fringe zoning district boundaries, as adopted under Metropolitan Development Commission docket number 92-AO-7.

SECTION 5. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

Councillor Rhodes asked for consent to hear Proposal Nos. 367-368, 1995 together. Consent was given.

PROPOSAL NOS. 367-368, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal Nos. 367-368, 1995 on June 19, 1995. PROPOSAL NO.

June 26, 1995

367, 1995. The proposal allows changes in salary schedules of County employees to become effective at other times than at beginning of a fiscal year. PROPOSAL NO. 368, 1995. The proposal amends county salary schedules to increase salary ranges for County employees. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass as amended. Councillor Rhodes moved, seconded by Councillor Ruhmkorff, for adoption. Proposal Nos. 367-368, as amended, were adopted on the following roll call vote; viz:

24 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

4 NOT VOTING: Black, Gilmer, Gray, Mullin

1 NOT PRESENT: Giffin

Proposal No. 367, 1995 was retitled GENERAL ORDINANCE NO. 95, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 95, 1995

A GENERAL ORDINANCE amending Chapter 23 of the Code to allow adjustments to the schedule of compensation of County employees to become effective other than just at the beginning of a fiscal year; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 23 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by deleting the language stricken through to read as follows:

Sec. 23-62. General duties and responsibilities of the board in implementing and reviewing the classification and compensation system.

The board shall:

(a) Promulgate rules and regulations to implement compliance with the classification system adopted pursuant to paragraph (f) and with the schedule of compensation and to govern the performance of its responsibilities.

(b) Adopt a written system to classify the position of each county employee pursuant to the following criteria:

- (i) The amount of experience and training required;
- (ii) The amount of independent judgment required;
- (iii) The amount of supervisory responsibility involved;
- (iv) The type and quantity of interrelated networking involved;
- (v) The type of working conditions involved;
- (vi) Any other consideration material to the successful performance of the particular position.

(c) Classify the position of each county employee pursuant to the current schedule of compensation which shall be kept on file in the auditor's office.

(d) Review and classify "new positions" proposed by a department head except where the new position has the same job description as a position in existence. In this case, the department head shall notify the chairman of the board of such a position and the chairman of the board may assign to the new position a temporary classification which shall be presented to the board at the board's next meeting where the agenda can accommodate the topic. Any changes in classification that the board makes shall be effective prospectively but no later than the earliest time that payroll can administer the changes during the payroll period in which the changes are made by the board.

(e) Periodically review all job positions with input from the appropriate agency. The board shall review each job position at least once every five (5) years. After completing its review of each job position, the board shall determine whether the position requires reclassification.

(f) Review the schedule of compensation as often as considered necessary by the board but at least every five (5) years and recommend to the council salary ranges in the schedule of compensation based upon statistical analyses of the range of salaries actually paid by employers in the Indianapolis, Marion County, Indiana area for each respective classification. To make the statistical analysis, the board shall either hire a consultation firm or appoint the auditor and his staff to evaluate all pertinent factors which influence the salary market and to recommend to the board a modified schedule of compensation. The board may recommend a new schedule of compensation which reflects the statistical analysis and recommendations made by the auditor and/or the consultation firm. Such schedule of compensation shall, if approved by the council, govern the salaries of county employees. County employees' salaries shall be adjusted pursuant to the new schedule of compensation effective the first pay cycle of the next fiscal year following the adoption of the schedule by the council. The salary figures and any salary in between the ranges will be translated into hourly rates to determine the proper compensation for any given pay period.

SECTION 2. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

Proposal No. 368, 1995 was retitled GENERAL RESOLUTION NO. 2, 1995 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 2, 1995

A GENERAL RESOLUTION to increase the salary schedule for Marion County employees.

WHEREAS, pursuant to Sec. 23-62 of the Code of Indianapolis and Marion County, the Marion County Job Classification Board has the responsibility of reviewing the schedule of compensation as often as considered necessary and making recommendations for a new schedule of compensation; and

WHEREAS, the current schedule of compensation has not been revised since the adoption of City-County General Resolution No. 8, 1991; and

WHEREAS, it is the recommendation of the Job Classification Board, based upon a statistical analysis, that the salary schedule be reviewed; now therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council, as the legislative and fiscal body of Marion County hereby adopts the following schedule of compensation for all Marion County employees, as defined by Sec. 23-61 of the Code of Indianapolis and Marion County, effective July 1, 1995:

<u>DBM RATING</u>	<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
A12	\$10,892	\$13,070	\$15,249
A13	12,295	14,754	17,213
B21	13,395	16,408	19,422
B22	14,670	17,971	21,272

June 26, 1995

B23	16,067	19,682	23,298
B24	17,598	21,557	25,516
B31	20,171	24,709	29,247
B32	23,527	28,821	34,115
C41	25,313	31,262	37,212
C42	27,013	33,360	39,708
C43	28,825	35,599	42,373
C51	30,892	38,615	46,338
C52	34,056	42,570	51,084
D61	34,311	43,746	53,181
D62	35,799	45,643	55,488
D63	38,201	48,706	59,211
D71	39,255	51,031	62,808
D72	43,276	56,258	69,241
E81	46,942	61,025	75,107
E82	50,091	65,119	80,147
E83	50,308	65,401	80,493

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This resolution shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 370, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 370, 1995 on June 19, 1995. The proposal is an appropriation of \$200,000 for the Indianapolis Fleet Services to cover increased expenditures in the cost of contractual repairs for City vehicles financed by a transfer of funds within the division's Consolidated County Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 370, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Black, Gray*

1 NOT PRESENT: *Giffin*

Proposal No. 370, 1995 was retitled FISCAL ORDINANCE NO. 65, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 65, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 70, 1994) transferring and appropriating an additional Two Hundred Thousand Dollars (\$200,000) in the Consolidated County Fund for purposes of the Department of Administration, Indianapolis Fleet Services and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Department of Administration, Indianapolis Fleet Services appropriating to cover additional costs and expenditures on City vehicles due to increase in accidents.

SECTION 2. The sum of Two Hundred Thousand Dollars be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following transfer appropriation is hereby approved:

<u>DEPARTMENT OF ADMINISTRATION</u>	
<u>INDIANAPOLIS FLEET SERVICES</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	\$200,000
TOTAL INCREASE	\$200,000

SECTION 4. The said transfer appropriation is funded by the following reductions:

<u>DEPARTMENT OF ADMINISTRATION</u>	
<u>INDIANAPOLIS FLEET SERVICES</u>	<u>CONSOLIDATED COUNTY FUND</u>
2. Supplies	\$200,000
TOTAL REDUCTION	\$200,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 371, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 371, 1995 on June 14, 1995. The proposal is an appropriation to adjust judicial and prosecutorial salaries to conform to statutory changes effective July 1, resulting in a net reduction in appropriated County General Funds of \$387,933. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor McClamroch, for adoption.

[Clerk's Note: Councillor Williams stated that she would abstain from voting due to a conflict of interest.]

Proposal No. 371, 1995, as amended, was adopted on the following roll call vote; viz:

22 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

6 NOT VOTING: *Black, Dowden, Gray, Jones, Schneider, Williams*

1 NOT PRESENT: *Giffin*

Proposal No. 371, 1995, as amended, was retitled FISCAL ORDINANCE NO. 66, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 66, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and unappropriating an additional One Hundred Twenty Thousand Six Hundred Eighteen Dollars (\$120,618) in the County General Fund for purposes of the County Auditor, Prosecuting Attorney; Circuit Court; Presiding Judge of the Municipal Court; Superior Courts, Criminal Divisions, Rooms One, Two, Three, Four, Five, and Six, Juvenile Division/Detention Center, Civil Divisions, Rooms One, Two, Three, Four, Five, Six, and Seven; Superior Court Title IV-D

June 26, 1995

Court; Marion County Drug Court; and Court Administration Agency and reducing certain other appropriations for those agencies.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b), (w), (bb), (cc), (dd), (ee), (ff), (gg), (hh), (ii), (jj), (kk), (mm), (nn), (oo), (pp), (qq), (rr), (ss), (tt), (uu), (ww), of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of appropriations necessary to fund judicial and prosecutorial salaries in accordance with statutory changes effective July 1, 1995.

SECTION 2. The sum of One Hundred Twenty Thousand Six Hundred Eighteen Dollars (\$120,618) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	2,641
<u>CIRCUIT COURT</u>	
3. Other Services and Charges	2,659
<u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	
3. Other Services and Charges	40,949
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM ONE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM TWO</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM THREE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FOUR</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	
3. Other Services and Charges	11,810
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM ONE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM TWO</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM THREE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FOUR</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FIVE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM SIX</u>	
3. Other Services and Charges	2,659

SUPERIOR COURT, CIVIL DIVISION, ROOM SEVEN

3. Other Services and Charges 2,659

SUPERIOR COURT, PROBATE DIVISION

3. Other Services and Charges 2,659

SUPERIOR COURT, TITLE IV-D COURT

1. Personal Services 11,515

MARION COUNTY DRUG COURT

1. Personal Services 2,303

COURT ADMINISTRATOR AGENCY

1. Personal Services 11,515

TOTAL INCREASE 120,618

SECTION 4. The said increased appropriation is funded by the following reductions:

COUNTY AUDITOR

1. Personal Services - fringes

COUNTY GENERAL FUND

35,182

PROSECUTING ATTORNEY

1. Personal Services

14,586

CIRCUIT COURT

1. Personal Services

11,842

PRESIDING JUDGE OF THE MUNICIPAL COURT

1. Personal Services

182,367

SUPERIOR COURT, CRIMINAL DIVISION, ROOM ONE

1. Personal Services

11,842

SUPERIOR COURT, CRIMINAL DIVISION, ROOM TWO

1. Personal Services

11,842

SUPERIOR COURT, CRIMINAL DIVISION, ROOM THREE

1. Personal Services

11,842

SUPERIOR COURT, CRIMINAL DIVISION, ROOM FOUR

1. Personal Services

11,842

SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE

1. Personal Services

11,842

SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX

1. Personal Services

11,842

SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER

1. Personal Services

98,786

SUPERIOR COURT, CIVIL DIVISION, ROOM ONE

1. Personal Services

11,842

SUPERIOR COURT, CIVIL DIVISION, ROOM TWO

1. Personal Services

11,842

SUPERIOR COURT, CIVIL DIVISION, ROOM THREE

1. Personal Services

11,842

SUPERIOR COURT, CIVIL DIVISION, ROOM FOUR

1. Personal Services

11,842

June 26, 1995

SUPERIOR COURT, CIVIL DIVISION, ROOM FIVE

1. Personal Services 11,842

SUPERIOR COURT, CIVIL DIVISION, ROOM SIX

1. Personal Services 11,842

SUPERIOR COURT, CIVIL DIVISION, ROOM SEVEN

1. Personal Services 11,842

SUPERIOR COURT, PROBATE DIVISION

1. Personal Services 11,842

TOTAL DECREASE 508,551

SECTION 5. Section 5.01 of the City-County Fiscal Ordinance No. 88, 1994, specifically subsection (b), be, and is hereby, amended by deleting the stricken-through text and inserting the text underlined to read as follows:

ARTICLE FIVE
COMPENSATION OF OFFICERS AND EMPLOYEES

Section 5.01. Elected Officers.

(b) Elected County Officers. Effective January 1, 1995 the annual compensation of the elected county officers for the calendar year 1995 and thereafter until modified shall be as follows:

(1)	County Assessor	51,484
(2)	County Auditor	55,867
(3)	County Clerk	55,867
(4)	County Coroner	30,741
(5)	County Prosecutor	13,209
(6)	County Sheriff	28,250
(7)	County Recorder	48,454
(8)	County Surveyor	46,124
(9)	County Treasurer	55,867
(10)	Center Township Assessor	49,324
(11)	Decatur Township Assessor	38,390
(12)	Franklin Township Assessor	38,390
(13)	Lawrence Township Assessor	43,068
(14)	Perry Township Assessor	43,068
(15)	Pike Township Assessor	43,068
(16)	Warren Township Assessor	47,854
(17)	Washington Township Assessor	47,854
(18)	Wayne Township Assessor	47,854

The county prosecutor shall receives for the period January 1, 1995 through June 30, 1995 one half of Sixty One Thousand Seven Hundred Forty Dollars (\$61,740) from the state (IC 33-14-7-5) and one half of Thirteen Thousand Two Hundred Nine Dollars (\$13,209) from the county; and for the period July 1, 1995 through December 31, 1995 pursuant to IC 36-3-6-3(c) a county contribution of Two Thousand Six Hundred and Forty-one Dollars (\$2,641) including FICA and Medicaid contributions. The county contribution for Circuit, Superior, and Municipal Court Judges for the period January 1, 1995 through June 30, 1995 shall be one half of Twenty Three Thousand Six Hundred Eighty Four Dollars (\$23,684), consisting of Ten Thousand Four Hundred Seventy Five Dollars (\$10,475) required by IC 33-13-12-7 and an additional Thirteen Thousand Two Hundred Nine Dollars (\$13,209); and for the period July 1, 1995 through December 31, 1995 pursuant to IC 36-3-6-3(c) a county contribution of Two Thousand Six Hundred Fifty-nine Dollars (\$2,659) including FICA and Medicaid contributions.

The salary fixed for the county sheriff shall be increased to \$88,250 per annum if the sheriff has entered into a salary contract pursuant to either applicable ordinance or IC 36-2-13-2.5. The county assessor, county auditor and county treasurer, as ex-officio county commissioners, in addition to other compensation may be provided the use of an automobile.

All elected county officers shall be entitled to participate in other employee benefits on the same basis as other county employees.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

President SerVaas asked for consent to hear Proposal Nos. 397-398, 1995 at this time. Consent was given.

PROPOSAL NOS. 397-398, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 397-398, 1995 on June 14, 1995. PROPOSAL NO. 397, 1995. The proposal amends the Revised Code concerning the Public Defender Board and Agency to conform to the comprehensive plan adopted by the Board. PROPOSAL NO. 398, 1995. The proposal approves a comprehensive plan for indigent defense services in non-capital cases. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal Nos. 397-398, 1995 were adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT VOTING: Gray

1 NOT PRESENT: Giffin

Proposal No. 397, 1995 was retitled GENERAL ORDINANCE NO. 96, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 96, 1995

A GENERAL ORDINANCE amending Chapter 286 of the Revised Code concerning the Public Defender Board and Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 286 of the "Revised Code of the Consolidated City and County," specifically Secs. 286-5 and 286-6, be, and is hereby, amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

CHAPTER 286. MARION COUNTY PUBLIC DEFENDER BOARD AND AGENCY

Sec. 286-5. Chief public defender.

- (a) The chief public defender shall:
 - (1) Be the chief administrator of the agency and devote full time and employment to such position.
 - (2) Review a determination of indigency and eligibility for legal representation by the agency staff when requested to do so by a defendant/respondent.
 - (3) Maintain offices for the agency as approved by the board.
 - (4) Establish within the agency such trial divisions of public defenders to represent indigent defendants/respondents as necessary.
 - (5) Hire without consideration of political affiliation, with the approval of the board, staff necessary to perform the services of the agency and supervise and discipline such staff.
 - (6) Keep and maintain records of all cases handled by the agency and report at least annually to the board concerning the operation of the agency, its costs and projected needs.

June 26, 1995

- (7) Ensure adequate, appropriate and consistent assignment of cases to public defenders.
- (8) Provide/establish a method of merit evaluation for public defenders, not less than yearly.

(b) Pending appointment of a chief public defender, the president of the city-county council shall appoint a member of the state bar to serve as interim administrator of the public defender agency. Such interim administrator shall assist in organizing the board and agency.

Sec. 286-6. Plan for provision of legal representation.

On or before June 15, 1993, the board shall prepare and submit to the city-county council for approval has approved by resolution a comprehensive plan for the provision of legal representation to indigent defendants/respondents in the county. The comprehensive plan shall, at a minimum, provide for which includes:

- (1) Provision of legal representation to an indigent defendant/respondent at the earliest possible point in time.
- (2) The legal representation of an indigent defendant/respondent by the same attorney or attorneys through the pendency of a matter to the greatest extent possible.
- (3) The use of qualified attorneys who will volunteer to provide legal representation to one (1) or more indigent defendants/respondents without charge to the greatest extent possible.
- (4) Professional development, continuing legal education, and malpractice coverage for public defenders.
- (5) Formal or informal agreements with the county prosecutor and law enforcement agencies establishing simplified procedures for expediting discovery and other communications with respect to pending cases, consistent with applicable court rules.
- (6) Utilization of all available sources of governmental and nongovernmental funding including, but not limited to, payment or repayment for services rendered from persons served in accordance with IC 33-9-11.5.
- (7) Periodic reevaluation of the operation of the agency and the accomplishment of its purpose.
- (8) Recommendation of a system for providing appellate counsel which is independent of the control of the chief public defender.

Such plan may be amended by the board with approval of the council.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 398, 1995 was retitled GENERAL RESOLUTION NO. 3, 1995 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 3, 1995

A GENERAL RESOLUTION approving a comprehensive plan for indigent defense services in non-capital cases.

WHEREAS, Chapter 286 of the Revised Code of the Consolidated City and County required the Marion County Public Defender Board to adopt a comprehensive plan for legal representation of indigents; and

WHEREAS, the Public Defender Board did adopt such plan on March 28, 1995; and

WHEREAS, the Council determines that such plan should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Journal of the City-County Council

SECTION 1. The City-County Council does hereby approve, pursuant to Sec. 286-6 of the Revised Code, the "Comprehensive Plan for Indigent Defense Services in Non-Capital Cases" as adopted by the Marion County Public Defender Board, a copy of which is attached hereto and marked Exhibit A.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

President SerVaas asked for consent to hear Proposal Nos. 412-413, 1995 at this time. Consent was given.

PROPOSAL NO. 412, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 412, 1995 on June 20, 1995. The proposal approves the disbursement of the additional \$2,814,548 of Community Development Block Grant funds appropriated June 12, 1995. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Boyd, for adoption. Proposal No. 412, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Short, Smith, West, Williams

1 NAY: Shambaugh

1 NOT VOTING: Gray

1 NOT PRESENT: Giffin

Proposal No. 412, 1995 was retitled SPECIAL RESOLUTION NO. 60, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 60, 1995

A SPECIAL RESOLUTION approving the amount, location and programmatic operation of certain projects to be funded from Community Development Grant Funds.

WHEREAS, on June 12, 1995, the City-County Council, of the City of Indianapolis and of Marion County, Indiana ("Council") adopted City-County Fiscal Ordinance No. 54, 1995, an amendment to the 1995 Annual Budget and Tax levies for the Consolidated City of Indianapolis and for Marion County, Indiana ("Budget Ordinance"); and

WHEREAS, Section 4.01 of the Budget Ordinance, as approved by the Council, reads as follows:

SECTION 4.01. State, local and federal grants.

(a) Grant Applications Authorized. The Mayor of the Consolidated City of Indianapolis is hereby authorized to make such applications as may be required by federal or state laws or regulation in order to apply for, and receive, such state or federal grants or payments as are anticipated, allocated and approved for expenditure by inclusion in this ordinance.

(b) Community Development Grant Funds. Until this Council has approved the amounts, locations and programmatic operation of each project to be funded from Community Development Grant Funds, the amounts appropriated herein for such purposes shall not be encumbered or spent.

(c) Public Purpose Local Grants. The sums appropriated for public purposes grants as part of this ordinance shall not be spent until this Council by resolution approves the amount and identity of the recipient of each grant.

WHEREAS, the Department of Metropolitan Development of the City of Indianapolis, Indiana ("Department of Metropolitan Development") has submitted its supplemental amendment to the 1995 Community Development Block Grant Community Development Committee Recommendation utilizing a portion of the Community Development Grant Funds, to the Council for its approval pursuant to Section 4.01 of the Budget Ordinance; and

June 26, 1995

WHEREAS, Council now finds that the amounts, locations and programmatic operation of each of the projects submitted by the Department of Metropolitan Development, should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That portion of the Community Development Committee's Recommendations for distribution of certain Community Development Block Grant Funds, submitted to the Council by the Department of Metropolitan Development, a copy of which is attached hereto and incorporated herein by reference as Exhibit A, is hereby approved, and the amount, location and programmatic operation of the project set forth therein, is hereby approved.

SECTION 2. This approval shall constitute the approval required under Section 4.01 of the Budget Ordinance.

EXHIBIT A

1995 COMMUNITY DEVELOPMENT BLOCK GRANT COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATIONS	
PROJECT	COST
Unity Park Reimbursement	\$1,300,000
Riverside Project	850,000
Infrastructure projects in tandem with DCAM	640,548
Habitat for Humanity/Meridian Kellsler Development Corp.	24,000
Total	\$2,814,548

PROPOSAL NO. 413, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 413, 1995 on June 20, 1995. The proposal amends the Dwelling Districts Zoning Ordinance to provide for a 3000 foot separation between group homes for the mentally ill. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Williams, for adoption. Proposal No. 413, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Gray*

1 NOT PRESENT: *Giffin*

Proposal No. 413, 1995 was retitled GENERAL ORDINANCE NO. 97, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 97, 1995

AN ORDINANCE amending the Code of Indianapolis and Marion County, Indiana, Appendix D, as amended, the Zoning Ordinance for Marion County which ordinance includes the Dwelling Districts Zoning Ordinance, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana, as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana, ordinances for the zoning or districting of all lands within the county for the purposes of securing adequate light, air convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; and,

Journal of the City-County Council

WHEREAS, the City-County Council and neighborhood representatives have expressed concern over the potential clustering of group homes for the mentally ill in certain portions of the community; and,

WHEREAS, current State Statute (IC 12-28-4-7) allows for a local zoning ordinance to provide for up to a 3000 foot separation between group homes for the mentally ill, now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Dwelling Districts Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Appendix D, (adopted under Metropolitan Development Commission docket Numbers 89-AO-2, 90-AO-3, 92-AO-1, 92-AO-3, 93-AO-4, and 95-AO-1), as amended, be amended as follows:

A. That Section 2.00, A, be amended by inserting the underscored language as follows:

8. Requirement for Group Homes for the Mentally Ill.

In any Dwelling District, a group home (as defined in section 2.25), for the mentally ill shall be excluded from a residential area if the group home is located within three thousand (3,000) feet of another group home for the mentally ill, as measured between lot lines.

B. That Section 2.01, A, 1; 2.02, A, 1, b.; 2.03, A, 1, b.; 2.04, A, 1, b.; 2.05, A, 1, c.; 2.06, A, 1, c.; 2.07, A, 1, c.; 2.08, A, 1, c.; 2.09, A, 1, c.; 2.10, A, 1, b.; 2.11, A, 1, b.; 2.12, A, 1, b.; 2.13, A, 1, b.; 2.14, A, 1, b.; and 2.15, A, 2 be amended by deleting the stricken-through language and inserting the underscored language as follows: GROUP HOMES, as defined in Section 2.25. and as regulated in Section 2.00, A, 8.

SECTION 2. If any section of this ordinance shall be invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 3. This ordinance shall be in full force and effect upon its adoption in compliance with IC 36-7-4.

PROPOSAL NO. 320, 1995. The proposal, sponsored by Councillor Black, authorizes a multi-way stop at Washington Boulevard and 32nd Street (Districts 6, 22). Councillor Gilmer moved, seconded by Councillor West, to strike. Proposal No. 320, 1995 was stricken by a unanimous voice vote.

PROPOSAL NO. 379, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 379, 1995 on June 21, 1995. The proposal, sponsored by Councillors Gilmer and Gray, authorizes traffic signals at Kessler Boulevard and the two 38th Street ramps (Districts 2, 9). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Jones, for adoption. Proposal No. 379, 1995 was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

3 NOT VOTING: Golc, Gray, Moriarty Adams

1 NOT PRESENT: Giffin

Proposal No. 379, 1995 was retitled GENERAL ORDINANCE NO. 98, 1995 and reads as follows:

June 26, 1995

CITY-COUNTY GENERAL ORDINANCE NO. 98, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
17, Pg. 11	Kessler Blvd N Dr & 38th St Ramp N	Kessler Blvd N Dr	Stop
17, Pg. 12	Kessler Blvd N Dr & 38th St Ramp S	Kessler Blvd N Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
17, Pg. 11	Kessler Blvd N Dr & 38th St Ramp N	None	Signal
17, Pg. 12	Kessler Blvd N Dr & 38th St Ramp S	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Gilmer asked for consent to hear Proposal Nos. 380-388, 1995 together. Consent was given.

PROPOSAL NOS. 380-388, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 380-388, 1995 on June 21, 1995. PROPOSAL NO. 380, 1995. The proposal, sponsored by Councillor Smith, authorizes stop signs for the Spring Oaks Subdivision - Section One (District 23). PROPOSAL NO. 381, 1995. The proposal, sponsored by Councillor Borst, authorizes stop signs for the Village of Orchard Park subdivision (District 25). PROPOSAL NO. 382, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Riley Avenue and 19th Street (District 15). PROPOSAL NO. 383, 1995. The proposal, sponsored by Councillor Beadling, authorizes a multi-way stop at Anchor Bay Court, Anchor Bay Drive, and Old Stone Drive (District 5). PROPOSAL NO. 384, 1995. The proposal, sponsored by Councillor Rhodes, authorizes multi-way stops at Ralston Avenue and Randall Road, and at 75th Street and Ralston Avenue (District 7). PROPOSAL NO. 385, 1995. The proposal, sponsored by Councillor Rhodes, authorizes a multi-way stop at Norwaldo Avenue and 61st Street (District 7). PROPOSAL NO. 386, 1995. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at State Avenue and Walker Avenue (District 21). PROPOSAL NO. 387, 1995. The proposal, sponsored by Councillor Smith, authorizes a multi-way stop at Combs Road and Stop 11 Road (District 23). PROPOSAL NO. 388, 1995. The proposal, sponsored by Councillor Smith, authorizes a multi-way stop at Hickory Road and Indian Creek Road South (District 23). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Gilmer moved, seconded by Councillor Borst, for adoption. Proposal Nos. 380-388, 1995 were adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Gray*

1 NOT PRESENT: *Giffin*

Proposal No. 380, 1995 was retitled GENERAL ORDINANCE NO. 99, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 99, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40, Pg. 1	Arlington Av & Spring Oaks Dr	Arlington Av	Stop
40, Pg. 3	Black Oaks Way & Spring Oaks Way	Black Oaks Way	Stop
40, Pg. 10	Iron Oaks Ct & Spring Oaks Dr	Spring Oaks Dr	Stop
40, Pg. 12	Silver Oaks Dr & Spring Oaks Dr	Spring Oaks Dr	Stop
40, Pg. 12	Spring Oaks Dr & Trophy Oaks Ct	Spring Oaks Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 381, 1995 was retitled GENERAL ORDINANCE NO. 100, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 100, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

June 26, 1995

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
46, Pg. 14	Orchard Village Dr & Stop 11 Rd	None	None

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
46, Pg. 14	Orchard Village Dr & Stop 11 Rd	Stop 11 Rd	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 382, 1995 was retitled GENERAL ORDINANCE NO. 101, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 101, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 31	Riley Av & 19th St	Riley Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 31	Riley Av & 19th St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 383, 1995 was retitled GENERAL ORDINANCE NO. 102, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 102, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
50, Pg. 1	Anchor Bay Ct/ Anchor Bay Dr/ Old Stone Dr	Old Stone Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
50, Pg. 1	Anchor Bay Ct/ Anchor Bay Dr/ Old Stone Dr	Old Stone Dr	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 384, 1995 was retitled GENERAL ORDINANCE NO. 103, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 103, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4, Pg. 11	Ralston Av & Randall Rd EB	Ralston Av	Stop
4, Pg. 11	Ralston Av & Randall Rd WB	Ralston Av	Stop
4, Pg. 11	Ralston Av & 75th St	75th St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4, Pg. 11	Ralston Av & Randall Rd	None	All-Way Stop
4, Pg. 11	Ralston Av & 75th St	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 385, 1995 was retitled GENERAL ORDINANCE NO. 104, 1995 and reads as follows:

June 26, 1995

CITY-COUNTY GENERAL ORDINANCE NO. 104, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 20	Norwaldo Av & 61st St	Norwaldo Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 20	Norwaldo Av & 61st St	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 386, 1995 was retitled GENERAL ORDINANCE NO. 105, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 105, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 37	State Av & Walker Av	State Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 37	State Av & Walker Av	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 387, 1995 was retitled GENERAL ORDINANCE NO. 106, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 106, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48, Pg. 1	Combs Rd & Stop 11 Rd	Stop 11 Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48, Pg. 1	Combs Rd & Stop 11 Rd	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 388, 1995 was retitled GENERAL ORDINANCE NO. 107, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 107, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY
OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
49, Pg. 2	Hickory Rd & Indian Creek Rd S	Hickory Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
49, Pg. 2	Hickory Rd & Indian Creek Rd S	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

June 26, 1995

PROPOSAL NO. 390, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 390, 1995 on June 21, 1995. The proposal, sponsored by Councillor Williams, prohibits parking on the southeast and northwest corners of College Avenue and 24th Street (District 22). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 390, 1995 was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

3 NOT VOTING: Dowden, Gray, Schneider

1 NOT PRESENT: Giffin

Proposal No. 390, 1995 was retitled GENERAL ORDINANCE NO. 108, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 108, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-267, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby, amended by the addition of the following, to wit:

College Avenue, on the east side, from 24th Street,
to a point 100 feet south of 24th Street.

College Avenue, on the west side, from 24th Street,
to a point 100 feet north of 24th Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 391, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 391, 1995 on June 21, 1995. The proposal, sponsored by Councillor Moriarty Adams, prohibits parking on the northwest corner of 10th Street at Emerson Avenue, and on the west side of Emerson Avenue from 10th Street to 11th Street (District 15). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 391, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT VOTING: Gray

1 NOT PRESENT: Giffin

Proposal No. 391, 1995 was retitled GENERAL ORDINANCE NO. 109, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 109, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-268, Stopping, standing and parking prohibited at all times on certain designated streets, and Sec. 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

10th Street, on the north side,
from Emerson Avenue, to a point 75 feet west of Emerson Avenue.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby, amended by the addition of the following, to wit:

EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS
From 6:00 a.m. to 9:00 a.m.
Emerson Avenue, on the west side, from 10th Street to 11th Street.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 392, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 392, 1995 on June 21, 1995. The proposal, sponsored by Councillors Black and Williams, prohibits parking on Washington Boulevard north and south of 32nd Street (Districts 6, 22). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Black, for adoption. Proposal No. 392, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

4 NOT VOTING: Gilmer, Golc, Gray, Moriarty Adams

1 NOT PRESENT: Giffin

Proposal No. 392, 1995 was retitled GENERAL ORDINANCE NO. 110, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 110, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-267, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby, amended by the addition of the following, to wit:

Washington Boulevard, on the west side,

June 26, 1995

from a point 80 feet south of Thirty-second Street,
to a point 100 feet north of Thirty-second Street.

Washington Boulevard, on the east side,
from a point 100 feet south of Thirty-second Street,
to a point 80 feet north of Thirty-second Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 393, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 393, 1995 on June 21, 1995. The proposal, sponsored by Councillor Brents, changes North Street from Canal Bridge to Senate Avenue from a one-way street to a two-way street (District 16). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal No. 393, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Gray*

1 NOT PRESENT: *Giffin*

Proposal No. 393, 1995 was retitled GENERAL ORDINANCE NO. 111, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 111, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-166, One-way streets and alleys designated.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-166, One-way streets and alleys designated, be, and the same is hereby, amended by the deletion of the following, to wit:

Eastbound,
North Street, from Senate Avenue to West Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-166, One-way streets and alleys designated, be, and the same is hereby, amended by the addition of the following, to wit:

Eastbound,
North Street, from West Street to Canal Bridge.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

NEW BUSINESS

Councillor West stated that the Metropolitan Development Committee will be conducting a bus tour on June 27, 1995 at 5:00 p.m. The tour will consist of housing and community development home projects in the inner city. He invited all Council members to attend.

Councillor Rhodes stated that the Administration and Finance Committee will conduct a public hearing regarding (1) public employee healthcare plans, and (2) prohibiting skateboarding in the Broad Ripple area on July 10, 1995 at 4:30 p.m.

ANNOUNCEMENTS AND ADJOURNMENT

Mr. Elrod read the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 95-Z-58, Council Proposal No. 429, 1995, at its next regular meeting on July 17, 1995, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 44 acres at 5401 East Southport Road from D-A to D6II to provide for the development of an apartment village.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Gilmer in memory of Mrs. Betty Power Hosier; and
- (2) Councillor Smith in memory of Margaret C. Fredrick; and
- (3) Councillors SerVaas, West, and Boyd in memory of Mary Jane Hasbrook; and
- (4) Councillor Boyd in memory of Rev. William Lawson

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Mrs. Betty Power Hosier, Margaret C. Fredrick, Mary Jane Hasbrook, and Rev. William Lawson,. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:30 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 26th day of June, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, JULY 17, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:15 p.m. on Monday, July 17, 1995, with Councillor SerVaas presiding.

Councilor Hinkle led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

The President introduced Jody Tilford who has been chosen to fill the District 12 vacancy created by the resignation of Betty Ruhmkorff. Suellen Hart, Clerk of the City-County Council, swore Mr. Tilford in as Councillor of District 12.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams
1 ABSENT: Boyd

A quorum of twenty-eight members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Dowden acknowledged the presence of members of the Indianapolis Firefighters Local 416, and thanked them for the dinner that they served earlier in the evening to the Councillors and local government officials.

Councillor Black introduced Reverend Charles Williams, President of Black Expo. Councillor O'Dell recognized Lucille Smith, mother of Sheriff Jack Cotty. Councillor Williams introduced Charles Redd, a retired Fort Wayne councilmember. She also wished a speedy recovery to Councillor Rozelle Boyd. Councillor Rhodes recognized the Broad Ripple residents and business owners who were present in support of the proposal concerning skateboards in Broad Ripple.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on July 17, 1995 at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

June 28, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Wednesday, July 5, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 369, 372, 374, 375, and 418, 1995, and a NOTICE OF PUBLIC HEARING on Proposal No. 429, 1995, to be held on Monday, July 17, 1995, at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

June 30, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

GENERAL ORDINANCE NO. 93, 1995 - prohibits the use of benefit leave time by County employees prior to its accrual

GENERAL ORDINANCE NO. 95, 1995 - allows changes in salary schedules of County employees to become effective at other times than at beginning of a fiscal year

GENERAL ORDINANCE NO. 96, 1995 - amends the Revised Code concerning the Public Defender Board and Agency to conform to the comprehensive plan adopted by the Board

GENERAL ORDINANCE NO. 97, 1995 - amends the Dwelling Districts Zoning Ordinance to provide for a 3000 foot separation between group homes for the mentally ill

July 17, 1995

GENERAL ORDINANCE NO. 98, 1995 - authorizes traffic signals at Kessler Boulevard and the two 38th Street ramps (Districts 2, 9)

GENERAL ORDINANCE NO. 99, 1995 - authorizes stop signs for the Spring Oaks Subdivision - Section One (District 23)

GENERAL ORDINANCE NO. 100, 1995 - authorizes stop signs for the Village of Orchard Park subdivision (District 25)

GENERAL ORDINANCE NO. 101, 1995 - authorizes a multi-way stop at Riley Avenue and 19th Street (District 15)

GENERAL ORDINANCE NO. 102, 1995 - authorizes a multi-way stop at Anchor Bay Court, Anchor Bay Drive, and Old Stone Drive (District 5)

GENERAL ORDINANCE NO. 103, 1995 - authorizes multi-way stops at Ralston Avenue and Randall Road, and at 75th Street and Ralston Avenue (District 7)

GENERAL ORDINANCE NO. 104, 1995 - authorizes a multi-way stop at Norwaldo Avenue and 61st Street (District 7)

GENERAL ORDINANCE NO. 105, 1995 - authorizes a multi-way stop at State Avenue and Walker Avenue (District 21)

GENERAL ORDINANCE NO. 106, 1995 - authorizes a multi-way stop at Combs Road and Stop 11 Road (District 23)

GENERAL ORDINANCE NO. 107, 1995 - authorizes a multi-way stop at Hickory Road and Indian Creek Road South (District 23)

GENERAL ORDINANCE NO. 108, 1995 - prohibits parking on the southeast and northwest corners of College Avenue and 24th Street (District 22)

GENERAL ORDINANCE NO. 109, 1995 - prohibits parking on the northwest corner of 10th Street at Emerson Avenue, and on the west side of Emerson Avenue from 10th Street to 11th Street (District 15)

GENERAL ORDINANCE NO. 110, 1995 - prohibits parking on Washington Boulevard north and south of 32nd Street (Districts 6, 22)

GENERAL ORDINANCE NO. 111, 1995 - changes North Street from Canal Bridge to Senate Avenue from a one-way street to a two-way street (District 16)

FISCAL ORDINANCE NO. 60, 1995 - an appropriation of \$108,000 for the Office of Youth and Family Services to provide services for families or individuals at risk of being homeless financed by additional federal grants

FISCAL ORDINANCE NO. 61, 1995 - an appropriation of \$38,449 for the City-County Council to contract for a cable television consultant financed by a transfer of funds from the Cable Communications Agency's Consolidated County Fund

FISCAL ORDINANCE NO. 62, 1995 - an appropriation of \$880,309 to pay Community Corrections operational expenses for fiscal year 1995/1996 financed by state and federal grants

FISCAL ORDINANCE NO. 63, 1995 - an appropriation of \$77,234 for Community Corrections to fund the Juvenile Court Intensive Probation Services Program for fiscal year 1995/1996 financed by state and federal grants

FISCAL ORDINANCE NO. 64, 1995 - an appropriation of \$43,750 for Community Corrections to fund Prosecutor Newman's Project Strategic Intervention with Brothers and Sisters (Project SIBS) (formerly Project Courage) financed by state and federal grants

FISCAL ORDINANCE NO. 65, 1995 - an appropriation of \$200,000 for the Indianapolis Fleet Services to cover increased expenditures in the cost of contractual repairs for City vehicles financed by a transfer of funds within the division's Consolidated County Fund

SPECIAL RESOLUTION NO. 49, 1995 - recognizes the Ben Davis Special Olympics Volleyball Team

SPECIAL RESOLUTION NO. 50, 1995 - recognizes the Wayne Township Fire Department

SPECIAL RESOLUTION NO. 51, 1995 - recognizes Christine "Chris" Johnson

SPECIAL RESOLUTION NO. 52, 1995 - recognizes J. Lloyd Grannan

SPECIAL RESOLUTION NO. 54, 1995 - recognizes the contributions of Councillor Betty Ruhmkorff

SPECIAL RESOLUTION NO. 55, 1995 - welcomes Dr. Esperanza Zendejas to the City and into the position of Superintendent of Public Schools

SPECIAL RESOLUTION NO. 56, 1995 - amends S.R. No. 93, 1994, by extending the expiration date for Pleasant Run Children's Homes, Inc. through December 31, 1995, and changing the proposed location of the project to 2405 North Tibbs Avenue (District 16)

SPECIAL RESOLUTION NO. 57, 1995 - amends S.R. No. 54, 1994, by extending the expiration date for North American Laboratory Company and SOHL Associates through December 31, 1995 (District 9)

SPECIAL RESOLUTION NO. 58, 1995 - amends S.R. No. 84, 1990, by extending the expiration date for Meadows Revival, Inc. through December 31, 1995 (District 11)

SPECIAL RESOLUTION NO. 59, 1995 - an Inducement Resolution for Sutton Place Apartments, L.P., an Indiana limited partnership, to proceed with the acquisition, renovation and equipping of the existing 360-unit multi-family residential rental project located at 9350 East 43rd Street on approximately 35 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 14)

SPECIAL RESOLUTION NO. 60, 1995 - approves the disbursement of the additional \$2,814,548 of Community Development Block Grant funds appropriated June 12, 1995

GENERAL RESOLUTION NO. 2, 1995 - amends county salary schedules to increase salary ranges for County employees

GENERAL RESOLUTION NO. 3, 1995 - approves a comprehensive plan for indigent defense services in non-capital cases

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of June 12, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 462, 1995. The proposal, sponsored by Councillor O'Dell, concerns Indianapolis, U.S.A., and Scarborough, Canada. Councillor O'Dell asked Councillor Tilford; Mark Howell, Executive Director, Indianapolis Parks Foundation; Andy Hohlt, President, Indianapolis/Scarborough Peace Games Executive Committee; and Mike Yoder, Chief of Staff, Mayor's Office, to join him at the podium. Councillor O'Dell read the proposal and presented copies of the document to Messrs. Howell, Hohlt and Yoder, who thanked the Council for the resolution. Councillor Borst thanked Mr. Hohlt for his community service. Councillor O'Dell moved, seconded by Councillor Tilford, for adoption. Proposal No. 462, 1995 was adopted by a unanimous voice vote.

Proposal No. 462, 1995 was retitled SPECIAL RESOLUTION NO. 61, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 61, 1995

A SPECIAL RESOLUTION concerning Indianapolis, U.S.A., and Scarborough, Canada.

WHEREAS, Scarborough is a city of a half million proud people adjacent to Toronto, Canada; and

WHEREAS, Scarborough is a rapidly growing center of service industries, especially in insurance and banking, has a strong presence in the pharmaceutical and electrical equipment sectors, is a major communications center and hosts a multitude of light manufacturing operations -- much like Indianapolis; and

WHEREAS, each year for over two decades large delegations of Indianapolis and Scarborough amateur athletes have paid their own way to participate in the Indianapolis-Scarborough Peace Games, and in the process fostered friendships and understanding between these two communities and nations; and

WHEREAS, apparently, as was confirmed by the Indiana Sister Cities organization, a Sister City relationship between Indianapolis and Scarborough was never officially executed; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the many similarities between Indianapolis, U.S.A., and Scarborough, Canada, and the long-standing healthy sports relationship.

SECTION 2. The Council encourages responsible officials and interested citizens of these two great cities to forthwith explore the advantages of formalizing a Sister City relationship between Indianapolis and Scarborough.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 463, 1995. The proposal, sponsored by Councillors Jimison, Boyd, and Jones, recognizes the 25th anniversary of Indiana Black Expo. Councillor Jimison asked the representatives from Black Expo to join her at the podium. Councillor Jones read the proposal and presented a copy of the document to Reverend Charles Williams, President of Black Expo, who expressed appreciation for the resolution. Councillor Jimison moved, seconded by Councillor Jones, for adoption. Proposal No. 463, 1995 was adopted by a unanimous voice vote.

Proposal No. 463, 1995 was retitled SPECIAL RESOLUTION NO. 62, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 62, 1995

A SPECIAL RESOLUTION recognizing the 25th anniversary of Indiana Black Expo.

WHEREAS, Indiana Black Expo is celebrating its 25 years of service to the citizens of Indianapolis and Indiana this year; and

WHEREAS, a year long series of events mark Black Expo's Silver Anniversary including a New Year's Eve Gala, the new headquarters mortgage burning ceremony, a fashion show, a softball tournament, an active scholarship fund, Soulfest, a forthcoming video aimed at deterring young people from crime, and the supercharged 25th Anniversary Black Expo Summer Celebration 95 on July 25-30; and

WHEREAS, for ten years Indiana Black Expo in collaboration with the Indiana State Department of Health has promoted and included a Black and Minority Health Fair which has grown to be the largest of its kind in the nation; this commitment has resulted in thousands of people being screened, tested, children being immunized and lives being saved; and

WHEREAS, Black Expo's Summer Celebration 95 features local and national corporate sponsors, national speakers, professional entertainment, a jobs fair, an impressive variety of youth programs, a boxing tournament, the Music Heritage Festival and a first-rate health fair; and

WHEREAS, from modest beginnings and some lean early years, Black Expo has grown and prospered to become the undisputed national leader in expositions of this type; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and commends Indiana Black Expo for its quarter century of service to the people of this city and state.

SECTION 2. Indianapolis is indeed fortunate to have Black Expo and other positive-minded organizations who help make this city a much more enlightened, informed, safe, inspiring, optimistic and civilized place in which to live.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 464, 1995. The proposal, sponsored by Councillor Mullin, concerns the Garfield Park Grove of Remembrance. Councillor Mullin read the resolution and said that it would be presented at Garfield Park when the Grove of Remembrance is being rededicated later this month. Councillor Mullin moved, seconded by Councillor Jimison, for adoption. Proposal No. 464, 1995 was adopted by a unanimous voice vote.

Proposal No. 464, 1995 was retitled SPECIAL RESOLUTION NO. 63, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 63, 1995

A SPECIAL RESOLUTION concerning the Garfield Park Grove of Remembrance.

WHEREAS, at 11:00 a.m. on November 11, 1918, the guns on the Western Front fell silent for the first time in four years, and the time for grieving and remembering began; and

WHEREAS, the Indianapolis Board of Park Commissioners granted space in Garfield Park for a memorial grove of trees for those 387 local sons and daughters from the city and county who lost their lives during the World War; and

WHEREAS, on Sunday afternoon, October 31, 1920, thousands of Indianapolis and Marion County school children and adults met to dedicate the Grove of Remembrance for those fallen heroes; and

WHEREAS, among those being remembered were the Wempner twins who were in the same Company and killed in action on the same day, artilleryman Hilton U. Brown, Jr. who was killed only three days before the cease fire, and Flora Ruth of the Army Nurse Corps who died at Camp Pike, Arkansas; and

WHEREAS, over the years the Garfield Park Grove of Remembrance had fallen into disrepair, and at its November 11, 1991, meeting, the Indianapolis City-County Council asked the city's Department of Parks and Recreation to revive the Memorial Grove; and

WHEREAS, the city, in cooperation with local interested citizens, is now prepared to rededicate the Grove on July 29, 1995, at 11:00 a.m.; now, therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council commends all those who participated in any way with the Garfield Park Grove of Remembrance's restoration and rededication.

SECTION 2. May this sacred and beautiful Grove serve as a befitting testament to those who gave their all for our great nation, and as a reminder of the high price that has been paid for our freedoms today.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 465, 1995. The proposal, sponsored by Councillors Williams, Rhodes, and SerVaas, asks the Metropolitan Development Commission to enforce long-standing policy with respect to advertising signs inside the I-465 beltway. Councillor Williams stated that it has been public policy to keep advertising signs/billboards out of the inner loop. The Department of Metropolitan Development has determined that it wants to change that policy--not through the ordinance process, but through hearing officer hearings. This proposal does not argue the issue of billboards, all it says is that if policy is going to be changed, it should be discussed in a public forum and not in a hearing officer forum where there is very little public debate and where there is very little public notice. Councillor Williams moved, seconded by Councillor Short, for adoption. Proposal No. 465, 1995 was adopted by a unanimous voice vote.

Proposal No. 465, 1995 was retitled SPECIAL RESOLUTION NO. 64, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 64, 1995

A SPECIAL RESOLUTION asking the Metropolitan Development Commission to enforce long standing policy with respect to advertising signs inside the I-465 beltway.

WHEREAS, I.C. 36-7-4 establishes the Metropolitan Development Commission as the single planning and zoning authority for Marion County, Indiana, and empowers the Commission to recommend to the City-County Council ordinances for the zoning or districting of all lands within the county; and

WHEREAS, In 1972, language in the sign ordinance specifically prohibited advertising on the interstates in the downtown area (G.O.#212, 1971); and

WHEREAS, in 1984, after much public input, a negotiated agreement was reached between the administration and the sign companies (known as the "Take Down Agreement") that resulted in the removal of signs within the "inner loop" and inner city area in exchange for locations on the I-465 "outer loop"; and

WHEREAS, in 1988, the sign ordinance was revised to further clarify policy regarding new advertising signs inside of I-465 on the interstate system (G.O.#48, 1988); and

WHEREAS, the aforementioned policies and practices notwithstanding, the staff has been aggressively seeking and supporting variance petitions through Hearing Officer proceedings for advertising signs on the interstate system inside the I-465 beltway (95-HOV-49 and 95-HOV-50); now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council requests that the Metropolitan Development Commission direct the staff of the Department of Metropolitan Development, the Metropolitan Boards of Zoning Appeals and the Hearing Officer of the Metropolitan Board of Zoning Appeals to abide by the Ordinance and the long-standing policy regarding advertising signs until such time as the Commission desires to re-open the matter for ordinance revision.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 440, 1995. Introduced by Councillors McClamroch and SerVaas. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Dr. Philip Borst to the Capital Improvement Board of Managers"; and the President referred it to the Municipal Corporations Committee.

Councillor O'Dell moved for consent to suspend City-County Council rules to allow for the introduction of Proposal No. 441, 1995. Consent was given.

PROPOSAL NO. 441, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$15,530 for the County Sheriff to provide security at the Marion County Children's Guardian Home financed by a transfer of funds from the Children's Guardian Home's County General Fund"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 442, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which amends the County budget to authorize direct payment of additional salaries for judges in amounts previously approved"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 443, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$294,000 for the County Sheriff, Community Corrections, and the Marion County Justice Agency to continue various programs to divert misdemeanant populations from state penal facilities financed by revenues from the County Correction Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 444, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation to reclassify fringes to salary for the Marion County Justice Agency in the amount of \$6,500 financed by a transfer of funds within the Drug Free Community Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 445, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$767,171 for the Department of Public Works, Environmental Resources Management Division, to meet the City's obligation to the Northside Landfill Superfund and to address USEPA's concerns at the City-owned Tibbs-Banta Landfill financed from Sanitation General Fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 446, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes increased penalties for air pollution control violations"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 447, 1995. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal for the Marsh Access Drive with Thompson Road approximately 1,200 feet east of Emerson (District 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 448, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls in the East Avalon Hills area (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 449, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a stop sign for the Chestnut Hills subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 450, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes multi-way stops for the Eagle Creek North subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 451, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes multi-way stops at Arabian Run and Duffer Circle, and at Arabian Run and Kinnett Lane (Districts 2, 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 452, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 14th Street and Bosart Avenue (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 453, 1995. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Kilmer Lane and Susan Drive South (District 3)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 454, 1995. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 48th Street and Park Avenue (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 455, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Rolling Ridge Road and Winding Way Lane (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 456, 1995. Introduced by Councillors Coughenour and Mullin. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at State Avenue and National Avenue (Districts 20, 24)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 457, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Alabama Street and St. Joseph Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 458, 1995. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Glen Coe Drive and 63rd Street (District 2)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 459, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which changes the intersection control at 86th Street and Haverstick Road from a traffic signal to stop signs (Districts 3, 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 460, 1995. Introduced by Councillor SerVaas, Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a one-way east bound on Westfield Boulevard from College Avenue to Guilford Avenue (Districts 2, 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 461, 1995. Introduced by Councillor Gilmer, Gray. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a 35 mph speed limit for 59th Street from Moller Road to Guion Road (Districts 1, 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 466, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which reduces the appropriations for the Presiding Judge of the Municipal Courts in the amount of \$242,023 to conform to projected expenditure levels in anticipation of court unification"; and the President referred it to the Public Safety and Criminal Justice Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Borst reported that the Economic Development Committee heard Proposal Nos. 437, 438 and 439, 1995 on July 13, 1995.

PROPOSAL NO. 437, 1995. The proposal authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$3 million for SOHL Associates, LLC (southwest corner of 62nd Street and Guion Road (District 9). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Smith, for adoption. Proposal No. 437, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West

0 NAYS:

1 NOT VOTING: Williams

1 NOT PRESENT: Boyd

Proposal No. 437, 1995 was retitled SPECIAL ORDINANCE NO. 7, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 7, 1995

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its City of Indianapolis, Indiana Variable Rate Demand Industrial Development Revenue Bonds, Series 1995 (SOHL Associates, LLC Project) in the aggregate principal amount not to exceed Three Million Dollars (\$3,000,000) (the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, a representative of SOHL Associates, LLC, an Indiana limited liability company (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue revenue bonds and lend the proceeds thereof to Company to enable the Company to undertake and complete the acquisition, construction, installation and equipping a building containing approximately 50,000 square feet to be located at the southwest corner of 62nd Street and Guion Road, Indianapolis, Indiana on approximately 13 acres of land which will be used by the Company for the manufacturing of a variety of dry mix products for the healthcare and food service industries; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, construction, installation and equipping of the Project by issuing its City of Indianapolis, Indiana Variable Rate Demand Industrial Development Revenue Bonds, Series 1995 (SOHL Associates, LLC Project), in the aggregate principal amount not to exceed Three Million Dollars (\$3,000,000) (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on July 12, 1995 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project which will be initially owned by the Company complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to a Trust Indenture (the "Indenture") dated as of August 1, 1995 by and between the Issuer and PNC Bank, Indiana, Inc., as Trustee (the "Trustee"), in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of August 1, 1995, between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Loan Agreement, Indenture, Lease, Bond Placement Agreement, Remarketing Agreement, Preliminary Private Placement Memorandum, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and the proposed form of special ordinance by Resolution adopted prior to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed Three Million Dollars (\$3,000,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Loan Agreement which will be entered into to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Private Placement Memorandum is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Private Placement Memorandum is hereby authorized to certify to National City Bank (the "Placement Agent") that the information in the Preliminary Private Placement Memorandum with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Private Placement Memorandum.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the purchasers thereof at a price not less than 100% of the aggregate principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest to be determined as provided in the Indenture. The use of a Final Private Placement Memorandum in substantially the same form as the Preliminary Private Placement Memorandum approved herein is approved for use and distribution by the Placement Agent and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the Placement Agent, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor

and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 438, 1995. The proposal is an inducement resolution for Faris Avenue Limited Partnership in an amount not to exceed \$8 million to proceed with the acquisition, renovation and equipping of the existing 354 unit multi-family residential rental facility located at 6875 Faris Avenue (District 11). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption.

Councillor Moriarty Adams asked for consent to abstain from voting on Proposal Nos. 438 and 439, 1995 due to a conflict of interest. Consent was given.

Proposal No. 438, 1995 was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

0 NAYS:

3 NOT VOTING: Moriarty Adams, Short, Williams

1 NOT PRESENT: Boyd

Proposal No. 438, 1995 was retitled SPECIAL RESOLUTION NO. 65, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 65, 1995

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, Faris Avenue Limited Partnership, a to-be-formed Indiana limited partnership or limited liability company (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, renovation and equipping of the existing three hundred fifty-four (354) unit multi-family residential facility located at 6875 Faris Avenue, Indianapolis, Indiana on approximately 22.11 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (ten (10) jobs) plus the creation of a construction job payroll and the creation of business opportunities to be achieved by the acquisition, renovation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended or any successor section thereof in connection with the Project and the Indiana Housing Finance Authority;

WHEREAS, the acquisition, renovation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Eight Million Dollars (\$8,000,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires February 28, 1996, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, renovation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. The City-County Council recognizes that the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 439, 1995. The proposal an inducement resolution for Emerald Green Housing Partners, Ltd, in an amount not to exceed \$12,875,000 to proceed with the acquisition, renovation and equipping of the existing 192 unit multi-family residential rental facility plus the construction of an additional 184 multi-family residential rental unit located at 6363 Commons Drive (District 1). By a 4-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Mullin, for adoption.

Councillor Gilmer asked how is it determined that there is a need for more low-income, subsidized housing. Councillor West stated that a consolidated plan is submitted to HUD each year by the City describing the need for this type of housing.

Proposal No. 439, 1995 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 NOT VOTING: Moriarty Adams

1 NOT PRESENT: Boyd

Proposal No. 439, 1995 was retitled SPECIAL RESOLUTION NO. 66, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 66, 1995

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, Emerald Green Housing Partners, Ltd., an Indiana limited partnership (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, renovation and equipping of the existing one hundred ninety two (192) unit multi-family residential facility plus the construction of an additional one hundred eighty-four (184) multi-family residential rental units located at 6363 Commons Drive, Indianapolis, Indiana on approximately 32 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (five (5) jobs) plus the creation of a construction job payroll and the creation of business opportunities

to be achieved by the acquisition, renovation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended or any successor section thereof in connection with the Project and the Indiana Housing Finance Authority;

WHEREAS, the acquisition, renovation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Twelve Million Eight Hundred Seventy Five Thousand Dollars (\$12,875,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires February 28, 1996, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, renovation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond

issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. The City-County Council recognizes that the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 467, 1995. . Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on July 13, 1995." The Council did not schedule Proposal No. 467, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 467, 1995 was retitled REZONING ORDINANCE NO. 98, 1995 and is identified as follows:

REZONING ORDINANCE NO. 98, 1995. 95-Z-70 FRANKLIN TOWNSHIP.
COUNCILMANIC DISTRICT # 23.
6174 CHURCHMAN AVENUE (approximate address), INDIANAPOLIS.
SYCAMORE ASSOCIATES, INC., by Joseph M. Scimia, requests the rezoning of 53.75 acres, being in the D-A(FF) and D-4(FF) Districts, to the D-4(FF) classification to provide for a single-family residential development.

PROPOSAL NO. 468, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on July 13, 1995

Councillor Dowden read the following motion:

Mr. President:

I move that Proposal No. 468, 1995 (Rezoning Case 95-Z-42 (95-DP-2)) be scheduled for a hearing before this Council at its next regular meeting on August 1, 1995 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

This motion passed by unanimous voice vote. Proposal No. 468, is identified as follows:

95-Z-42 (95-DP-2) LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 4.
9602-9902 FALL CREEK ROAD (approximate address), INDIANAPOLIS,
SCM REAL ESTATE DEVELOPMENT CO., by Thomas Michael Quinn, requests the rezoning of 304 acres, being in the D-S and D-1 Districts, to the D-P classification to provide for planned unit residential development, consisting of 421 detached single-family residential units (overall density of 1.38 units per acre) with approximately 70 acres designated as nature sanctuary.

PROPOSAL NOS. 469-476, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on July 13, 1995." The Council did not schedule Proposal Nos. 469-476, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 469-476, 1995 were retitled REZONING ORDINANCE NOS. 99-106, 1995 and are identified as follows:

REZONING ORDINANCE NO. 99, 1995. 95-Z-72 DECATUR TOWNSHIP. COUNCILMANIC DISTRICT # 19.
5880 MANN ROAD (approximate address), INDIANAPOLIS.

CROSSMANN COMMUNITIES PARTNERSHIP, by Stephen D. Mears, requests the rezoning of 231.30 acres, being in the D-2(FF), D-3(FF), D-6 and D-6II(FF) Districts, to the D-4(FF) classification to provide for residential development.

REZONING ORDINANCE NO. 100, 1995. 95-Z-78 PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 1.

4935 NORTH HIGH SCHOOL ROAD (approximate address), INDIANAPOLIS.

VERN STRICKLAND and VERNON M. DOTSON request the rezoning of 5.0 acres, being in the SU-1 District, to the D-3 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 101, 1995. 95-Z-81 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 13.

8004 BROOKVILLE ROAD (approximate address), INDIANAPOLIS.

TIM F. W. HANSON, by Michael J. Kias, requests the rezoning of 2.27 acres, being in the I-4-S District, to the C-3 classification to provide for commercial use.

REZONING ORDINANCE NO. 102, 1995. 95-Z-87 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 10.

6361 EAST 34TH STREET (approximate address), INDIANAPOLIS.

MACALLISTER REAL ESTATE CO., INC., by Philip A. Nicely, requests the rezoning of 35.748 acres, being in the D-A District, to the C-S classification to provide for heavy construction equipment sales, rental and service and other I-2-S industrial uses.

REZONING ORDINANCE NO. 103, 1995. 95-Z-90 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 20.

2005-2025 SOUTH BARTH AVENUE (approximate address), INDIANAPOLIS.

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 0.83 acre, being in the I-3-U District, to the D-5 classification to conform zoning to the existing use of single-family residences.

REZONING ORDINANCE NO. 104, 1995. 95-Z-91 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 16.

310 WEST MICHIGAN STREET (approximate address), INDIANAPOLIS.

DEPARTMENT OF METROPOLITAN DEVELOPMENT-REAL ESTATE SERVICES DIVISION requests the rezoning of 3.3 acres, being in the I-3-U(RC) District, to the CBD-2(RC) classification to provide for mixed use residential, public/semi-public and commercial development.

REZONING ORDINANCE NO. 105, 1995. 95-Z-96 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 22.

2503 CENTRAL AVENUE (approximate address), INDIANAPOLIS.

OPEN DOOR OF DELIVERANCE CHURCH, by Lorine Brown Regulus, requests the rezoning of 0.51 acre, being in the C-3 District, to the SU-1 classification to provide for church use.

REZONING ORDINANCE NO. 106, 1995. 95-Z-98 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 6.

3333 NORTH MERIDIAN STREET (approximate address), INDIANAPOLIS.

TRINITY EPISCOPAL CHURCH, by Therese Fehribach Coffey, requests the rezoning of 2.319 acres, being in the C-1 and D-9 District, to the C-S classification to provide for the operation of a multi-service mental health facility.

Councillor Rhodes asked for consent to hear Proposal No. 265, 1995 next on the agenda. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 265, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 265, 1995 on April 27 and July 10, 1995. The proposal prohibits the use of skateboards in the Broad Ripple business district. The amount of traffic and business in the village makes skateboarding dangerous to residents and skaters alike. The ban applies to public rights of way, such as streets and sidewalks, not to private property. He said that the Indianapolis

Department of Parks and Recreation ("Parks") is considering a skateboard park at Major Taylor Velodrome. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Short, for adoption.

Councillor Gilmer asked what will be the penalty for skateboarding in Broad Ripple. Councillor Rhodes answered that the penalty will be a \$50 fine.

Councillor Beadling asked for consent for one of the skateboarders to speak. Consent was given. Brenna Bailey, 4806 Winthrop Avenue, suggested that a parking lot at Broad Ripple Park be turned into a skate park and that the Broad Ripple businesses help pay for it.

Councillor Short asked that Rick Rising-Moore, president of the Broad Ripple Village Association, present the businesses side of this issue. Mr. Rising-Moore stated the majority of skateboarders are okay, but it is a small minority that do not respect other people's properties, thrash the area, and pose a real danger to pedestrians.

Councillor West stated that he believes making the Village of Broad Ripple a skate-free zone is a good solution to this problem.

Councillor Dowden moved the question, which passed by a unanimous voice vote.

Proposal No. 265, 1995 was adopted on the following roll call vote; viz:

23 YEAS: Black, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams
5 NAYS: Beadling, Brents, Gilmer, Jones, Mullin
1 NOT PRESENT: Boyd

Councillor Williams asked for consent to explain her vote. Consent was given. She said that she endorses the skateboarder's plan that a place be provided for skateboarders to skate. Councillor Jimison asked that the Parks Department look at this issue and include the cost of a skateboard area in its 1996 budget.

The President asked Councillor Giffin, Chairman of the Parks and Recreation Committee, to look into this matter. Councillor Giffin said that the issue will be taken up with the Parks Committee.

Proposal No. 265, 1995 was retitled GENERAL ORDINANCE NO. 112 , 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 112, 1995

A GENERAL ORDINANCE amending Chapter 28 of the Code to prohibit the use of skateboards and similar play devices in the Broad Ripple business district.

WHEREAS, the City has received complaints from businesses, pedestrians, and residents about the difficulty and dangers of walking on the streets, sidewalks and parking areas of the Broad Ripple business district where skateboards and similar play devices are being used; and

WHEREAS, the Council has the authority under IC 36-9-2-7 to regulate the use of public ways; and

WHEREAS, the Council has the authority under IC 36-8-2-4 to regulate conduct that might endanger the public health, safety or welfare; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 28 of the Code of Indianapolis and Marion County, Indiana, specifically Sec. 28-210, is hereby amended by inserting the language under-scored to read as follows:

Sec. 28-210. Use of toy vehicles.

(a) It shall be unlawful for any person, who is riding in or by means of a skateboard, coaster, scooter, toy vehicle or any similar play device, to park, stand or use any such vehicle or device upon any roadway, except when and where such roadway is designated as a play street, or while the person is crossing a street on a crosswalk, and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

(b) It is hereby declared a public nuisance and, therefore, a violation of this Code to operate a skateboard, coaster, scooter, toy vehicle or any similar play device on the streets, sidewalks and parking areas within the territory bounded by and including College Avenue on the west, Compton Street on the east, 62nd Street on the south, and 65th Street on the north.

(c) A skateboard operated in violation of this ordinance may be temporarily held to abate the nuisance.

(d) The first violation in any calendar year shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County. All second and subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in section 1-8 of the Code of Indianapolis and Marion County, Indiana.

SECTION 2. Sec. 103-52 of the Revised Code of the Consolidated City and County, be, and is hereby, amended by inserting the underlined text, to read as follows:

Sec. 103-52. Schedule of Code Provisions and Penalties. The following code (or ordinance) provisions and respective civil penalties are designated for enforcement through the ordinance violations bureau:

<u>Code Section</u>	<u>Subject Matter</u>	<u>Civil Penalty</u>
4-71	Open burning	50.00
6-4	Animal at large - 1st offense in calendar year	50.00
6-71	Unlicensed dog - 1st offense in calendar year	50.00
6-150	Unvaccinated dog or cat - 1st offense in calendar year	50.00
7-20	Swimming in unguarded waters - 1st offense in calendar year	50.00
17-151	Sale of tobacco products without license - 1st offense	45.00
17-154	Prohibited distributions of tobacco products - 1st offense	45.00
17-780	Unlicensed transient merchant - 1st offense in calendar year	50.00
17½-8	Littering on premises of another	45.00
17½-17	Vehicle losing its load - 1st offense in calendar year	50.00
18-2	Unlawful noise - 1st offense in calendar year	50.00
20-9	Loitering - 1st offense in calendar year	50.00
20-46	Noisy house - 1st offense in calendar year	50.00
21½-14	3rd false alarm in calendar year	20.00
21½-14	4th false alarm in calendar year	30.00
21½-14	5th through 7th false alarm in calendar year	40.00
22-2	In park after hours - 1st offense in calendar year	50.00
22-9	Alcohol in park - 1st offense in calendar year	50.00
28-16	Parking prohibited for street repairs and cleaning	12.50
28-210	<u>Skateboard or similar play device - 1st offense in calendar year</u>	<u>50.00</u>
28-311	Premises address violation - 2nd offense in calendar year	25.00
29-8	Pedestrian violations	12.50
29-27	Parking when temporarily prohibited	12.50

29-97	Display of unauthorized traffic controls	12.50
29-98	Interference with traffic control devices	12.50
29-123	Unlawful use of horn or sounding device	15.00
29-223	Unlawfully parked trailer	12.50
29-252	Unlawful parking on sidewalk, in crosswalk, or adjacent yard	25.00
29-253	Unlawful parking in certain school areas	12.50
29-254	Unlawful manner of parking	12.50
29-255	No required lights on certain parked vehicles	12.50
29-256.1	Violation of handicapped parking restrictions	45.00
29-256.2	Unlawful parking in handicapped parking meter zone	45.00
29-257	Unloading perpendicular to curb without permit	12.50
29-258	Unlawful use of bus stops and taxicab stand	12.50
29-259	Unlawful use of passenger and loading zones	12.50
29-260	Unlawful parking adjacent to certain buildings	12.50
29-262	Unlawful parking for display for sale or advertising	12.50
29-263	Unlawful parking for more than 6 hours	12.50
29-264	Unlawful parking of commercial vehicles at night	12.50
29-265	Unlawful parking in alleys or on certain narrow streets	12.50
29-266	Unlawful parking in designated special parking areas	12.50
29-267	Parking on certain streets where prohibited at all times	12.50
29-268	Stopping, standing or parking on streets where prohibited at all times	12.50
29-269	Parking on certain streets where prohibited at all times on certain days	12.50
29-270	Parking on certain streets when prohibited at certain times on certain days	12.50
29-271	Stopping, standing or parking during prohibited hours on certain days on certain streets. If between hours of 6:00 a.m. - 9:00 a.m., 7:00 a.m. - 9:00 a.m., 3:00 p.m. - 6:00 p.m., 4:00 p.m. - 6:00 p.m.	25.00
29-272	Parking longer than permitted on certain streets at certain times on certain days	12.50
29-284	Parking in excess of time permitted in parking meter zone	12.50
29-291	Parking in meter zone when temporarily prohibited	12.50
29-297	Overtime parking in metered parking space	12.50
29-321	Unlawful parking during snow emergency	25.00
29-335	Leaving taxicab unattended	12.50
29-336	Unlawful parking of bus or taxicab	12.50
29-337	Unlawful parking in certain mailbox zones	12.50
29-341	Unlawful stopping, standing or parking near fire hydrant	45.00
29-342	Unlawful obstruction of fire lane	25.00
29-398	Unlawful loading or unloading of private bus	12.50
29-400	Unlawfully stopping of food vendor vehicle	12.50
29-401	Violation of noise restriction on food vendors	12.50
29-403	Failure of food vending vehicle to display required warnings	12.50
29-403.2	Unlawful vending for other than curb side of vending vehicle	12.50
29-406	Operation of bicycle without required equipment	12.50
29-407	Unlawful operation of bicycle	12.50
29-424	Operation of unregistered bicycle	7.50
29-440	Consumption or possession by operator of motor vehicle	
	1st offense in calendar year	50.00
29-441	Operating motor vehicle containing open alcoholic beverages	
	1st offense in calendar year	50.00
Appendix D. Part 26, Sec. 6 Civil zoning violations - 1st offense in calendar year		50.00

SECTION 3. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

[Clerk's Note: The Council recessed for ten minutes.]

PROPOSAL NO. 366, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 366, 1995 on June 20 and July 10, 1995. The proposal authorizes the County Recorder to charge a supplemental fee of \$3 per document for recording documents. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Hinkle, for adoption. Proposal No. 366, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brenis, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

4 NOT VOTING: Black, Franklin, Jimison, Williams

1 NOT PRESENT: Boyd

Proposal No. 366, 1995 was retitled SPECIAL ORDINANCE NO. 8, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 8, 1995

A SPECIAL ORDINANCE amending the Revised Code to authorize the Recorder to collect a supplemental fee of Three Dollars (\$3.00) per document for recording a document.

WHEREAS, IC 36-2-7-10(b) sets forth the various fees to be charged by the Recorder for services rendered; and

WHEREAS, IC 36-2-7-10(b)(11) provides that the City-County Council may authorize a supplemental fee, not to exceed Three Dollars (\$3.00) per document, to be charged by the Recorder for recording documents; and

WHEREAS, the Recorder seeks such authorization to charge a supplemental fee, in the amount of Three Dollars (\$3.00) per document, for recording documents; now therefore:

BE IT ORDAINED BY THE CITY-COUNCIL OF THE CITY
OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Revised Code of the Consolidated City and County be, and is hereby, amended by adding a new Sec. 131-241 to read as follows:

ARTICLE II. COUNTY OFFICIALS' FEES

Sec. 131-241. Recorder's supplemental recording fee.

(a) Pursuant to IC 36-2-7-10(b)(11), the City-County Council hereby authorizes the Recorder to charge a supplemental fee in the amount of Three Dollars (\$3.00) per document for recording a document.

(b) This supplemental fee is to be paid at the time of recording the document, and this supplemental fee is in addition to other fees provided by law for recording a document.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 429, 1995. The proposal rezones 44 acres at 5401 East Southport Road in Franklin Township from D-A district to D-6II classification to provide for development of an apartment village. Proposal 429, 1995 was certified by the Metropolitan Development Commission on June 22, 1995. On June 26, 1995 Councillor Smith moved to schedule the proposal for a public hearing on July 17, 1995. This motion passed by unanimous voice vote.

The President said that Robert Elrod, General Counsel, advised him that a preliminary conference was held with the petitioners and remonstrators on July 12, 1995, and there was no resolution of the matter at that time.

Councillor Smith stated that the petitioner proposes to build 480 multi-family units on 44 acres. He said that the remonstrators oppose this project because of the density--it is 130 times the current land use. Mr. Smith said that approximately 600 neighborhood opinion ballots were sent out, and over 475 were returned. The results of the poll were that 97% opposed this development. The 1991 Comprehensive Plan ("the Plan") recommends D-6II which is medium density residential at 5-15 units per acre. A LD classification of 2-5 units per acre would be more compatible with the existing neighborhood. At the June 21st Metropolitan Development Commission hearing there were five items on the agenda, and all five were Franklin Township cases. This points out that Franklin Township is going through tremendous growth. Four of the petitions were approved with no opposition. Councillor Smith asked the Council to reject this petition.

Philip Nicely stated that he represents the petitioner, Regency Windsor Companies. Mr. Nicely said that the Department of Metropolitan Development ("DMD") staff recommended approval of this rezoning and the development is in accordance with the Plan. The Metropolitan Development Commission approved the rezoning by a 6-2 margin. He said that he believes that the remonstrators oppose this apartment complex because it is a rental project. The multi-family use of this property would not negatively effect the residential uses in the area. The proposed development is an ideal transitional use or buffer separating the Meijer/commercial and Shorewood/industrial uses from future development further east. He asked that the Councillors approve this petition for rezoning.

David Retherford stated that he is an attorney in Franklin Township and he represents the residents along this Southport Road corridor. He also represents the Boulders Homeowners Association, Greystone Homeowners Association, Franklin Park Estates, Moss Creek Subdivision, Franklin Township Positive Growth Association, Franklin Township Civic League, and the approximately 475 respondents to the neighborhood opinion poll. The best use of this property would be some type of high-end condominium or patio-home-type development which is closer in density to the LD classification of two to five units per acre. The issues in this case are the density of this development and the inaccuracy of the Plan. There were very detailed commitments negotiated that protected this 44 acre property in 1977 when the D-2 property just east of this property in question was rezoned and in 1988 when the Meijer industrial park was rezoned. When the Plan was updated in 1991, no one checked these negotiated commitments. The residents in this area will begin a process to update the Plan for this corridor. Mr. Retherford urged the Councillors to defeat this rezoning.

Phyllis Beck stated that she lives on Southport Road and she represents the entire Southport area. This proposed apartment project is not the best transitional use for this property. The people that

she represents would approve a density of three to five. Clay Franchville said that he lives directly across the street from the proposed project and urged the Councillors to reject this rezoning.

Councillor West asked if the DMD staff knew of these commitments negotiated in 1977 and in 1988. Ed Mitro, Senior Planner, DMD, said that when the Plan was updated in 1991, the staff was aware of the McFarland Farms and the Meijer zoning cases, which are directly west of the property in question. Regarding the D-2 property to the east, the staff was not aware of the numerous commitments on that property--but those commitments expired in 1991.

Councillor Beadling asked how long the property has been for sale. Ben Henderson stated that he is one of the owners of the property and he bought the property in 1991. He bought the property because of the zoning listed on the Plan.

The President reminded the Councillors that under Council rules the vote to sustain the Commission's approval to rezone this property will take 12 "yes" votes; to reject will take 18 "no" votes. The Commission's decision was rejected and Proposal No. 429, 1995 failed by the following roll call vote; viz:

10 YEAS: Black, Brents, Curry, Golc, Gray, Jimison, Jones, Moriarty Adams, Mullin, Williams

18 NAYS: Beadling, Borst, Coughenour, Dowden, Franklin, Giffin, Gilmer, Hinkle, McClamroch, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West

1 NOT PRESENT: Boyd

[Clerk's Note: The Council took a ten-minute recess.]

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 338, 1995. The proposal consolidates the Ordinance Violations Bureau and the Revenue Enhancement Division within the Office of Corporation Counsel. PROPOSAL NO. 339, 1995. The proposal is an appropriation of \$758,401 to fund the Collections Division in the Office of Corporation Counsel financed by a transfer of funds from the Department of Capital Asset Management's Parking Meter Fund and from the Office of the Controller's Consolidated County Fund. Councillor Gilmer asked for consent to postpone these two proposals until August 1, 1995. Proposal Nos. 338 and 399, 1995 were postponed by consent.

Councillor Schneider asked for consent to hear Proposal No. 424, 1995 next. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 424, 1995. Councillor Schneider reported that the Municipal Corporations Committee heard Proposal No. 424, 1995 on July 6, 1995. The proposal, sponsored by Councillors Rhodes, Schneider, Dowden, Beadling, Coughenour, Franklin, Giffin, Golc, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Smith, and West, concerns movie video tape distribution by the Indianapolis-Marion County Public Library (the "Library"). Councillor Schneider said that the present Library policy allows juveniles to borrow any video tape unless their parents request that a restriction be placed on the juveniles' cards that will not allow them to borrow R- and NC17-type videos. This proposal asks the Library Board to change the existing policy to prohibit juveniles from borrowing R- and NC17-type videos unless their parents

request that their library cards be unrestricted with respect to the borrowing of video tapes. By a 5-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Curry voiced his opposition to this proposal.

Councillor Dowden moved the question. This motion was seconded by Councillor Coughenour, and it failed by the following roll call vote; viz:

13 YEAS: Beadling, Coughenour, Dowden, Gilmer, Gray, Jones, Moriarty Adams, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford

14 NAYS: Black, Borst, Brents, Curry, Franklin, Golc, Hinkle, Jimison, McClamroch, Mullin, O'Dell, Short, West, Williams

1 NOT VOTING: Giffin

1 NOT PRESENT: Boyd

Councillors Hinkle, Short, Williams, and Brents voiced their opposition to this proposal.

Councillors Coughenour, Dowden, Golc, West, McClamroch, Jimison, Rhodes, and SerVaas voiced their support of this proposal.

[Clerk's Note: The President passed the gavel to the Vice President when he voiced his opinion.]

Proposal No. 424, 1995 was adopted on the following roll call vote; viz:

19 YEAS: Beadling, Borst, Coughenour, Dowden, Franklin, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

8 NAYS: Black, Brents, Curry, Gilmer, Hinkle, Mullin, Short, Williams

1 NOT VOTING: Giffin

1 NOT PRESENT: Boyd

Proposal No. 424, 1995 was retitled SPECIAL RESOLUTION NO. 67, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 67, 1995

A SPECIAL RESOLUTION concerning movie video tape distribution by the Indianapolis-Marion County Public Library.

WHEREAS, the Motion Picture Association of America rates films for their suitability for various ages, which include "R" where persons under 17 must be accompanied by a parent or guardian, and "NC-17" where persons under 17 are not to be admitted; and

WHEREAS, many of the aforementioned movies contain gratuitous violence, foul language, sexual degradation and criminal actions that in the real world could result in lengthy jail sentences; and

WHEREAS, if the movie theaters and video stores can place some reasonable limitations upon children viewing or obtaining adult movies, then taxpayer-supported entities such as the Indianapolis-Marion County Public Library should likewise do their part to be concerned about the health and welfare of our children; and

WHEREAS, a library card, like a driver's license, is a revocable privilege, not a right; now, therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council asks the Indianapolis-Marion County Public Library to adopt a policy that parents or guardians must execute prior written permission before their children may borrow "R" or "NC-17"-type video tapes from the library.

SECTION 2. The Council encourages the library to increase its collection of historic and classic videos that are not readily available in commercial video stores.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 341, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 341, 1995 on May 30, June 12, June 20, and July 10, 1995. The proposal is an appropriation of \$3,200,000 of Community Development Block Grant Section 108 funds to carry out the following economic development projects: (1) the West Michigan Street Redevelopment Project, (2) the Mainscape Project, and (3) the New East Industrial Center and the Opportunity Factory. By a 6-0 vote on July 10, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 11:39 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Williams, for adoption. Proposal No. 341, 1995, as amended, was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Shambaugh, Short, Smith, Tilford, West, Williams*
1 NAYS: *Schneider*
4 NOT VOTING: *Giffin, Gray, Rhodes, SerVaas*
1 NOT PRESENT: *Boyd*

Proposal No. 341, 1995, as amended, was retitled FISCAL ORDINANCE NO. 67, 1995 and reads as follows:

CITY- COUNTY FISCAL ORDINANCE NO. 67, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Three Million Two Hundred Thousand Dollars (\$3,200,000) in the Redevelopment General Fund for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division and reducing the unappropriated and unencumbered balance in the Redevelopment General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (k) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division appropriating additional Block Grant funds for use for the West Michigan Street Redevelopment Project, the Mainscape Project, and the New East Industrial Center funded under a Section 108 Loan.

SECTION 2. The sum of Three Million Two Hundred Thousand Dollars (\$3,200,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> <u>NEIGHBORHOOD AND DEVELOPMENT SERVICE DIVISION</u>	<u>REDEVELOPMENT</u> <u>GENERAL FUND</u>
3. Other Services and Charges	<u>\$3,200,000</u>
TOTAL INCREASE	\$3,200,000

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> <u>NEIGHBORHOOD AND DEVELOPMENT SERVICE DIVISION</u>	<u>REDEVELOPMENT</u> <u>GENERAL FUND</u>
Unappropriated and Unencumbered Redevelopment General Fund	<u>\$3,200,000</u>
TOTAL REDUCTION	\$3,200,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 369, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 369, 1995 on June 19, 1995. The proposal an appropriation of \$32,069 to pay for accumulated compensatory time and benefit leave for employees who have left the County Coroner's office financed from the County General Fund balances. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 11:42 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 369, 1995 was adopted on the following roll call vote; viz:

22 YEAS: Black, Borst, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams
4 NAYS: Beadling, Gray, McClamroch, Schneider
2 NOT VOTING: Brents, Giffin
1 NOT PRESENT: Boyd

Proposal No. 369, 1995 was retitled FISCAL ORDINANCE NO. 68, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 68, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Thirty Two Thousand Sixty-nine Dollars (\$32,069) in the County General Fund for purposes of the County Auditor and County Coroner and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b),(g) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and County Coroner pay accumulated compensatory time and benefit leave for employees that have left the County Coroner's Office.

SECTION 2. The sum of Thirty Two Thousand Sixty-nine Dollars (\$32,069) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY CORONER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	27,850
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>4,219</u>
TOTAL INCREASE	32,069

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>32,069</u>
TOTAL REDUCTION	32,069

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Dowden asked for consent to discuss and vote on Proposal Nos. 372, 374, 375, 418, and 417, 1995 together. Consent was given. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 372, 374, 375, and 418, 1995 on June 14, 1995, and the Committee heard Proposal No. 417, 1995 on July 12, 1995.

PROPOSAL NO. 372, 1995. The proposal is an additional appropriation of \$116,325 for the Public Defender Agency to achieve staffing levels sufficient to qualify for state reimbursement in excess of such increases. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 11:46 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 372, 1995 was adopted on the following roll call vote; viz:

23 YEAS: Beadling, Black, Borst, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams
3 NAYS: Coughenour, O'Dell, Rhodes
2 NOT VOTING: Brents, Giffin
1 NOT PRESENT: Boyd

Proposal No. 372, 1995 was retitled FISCAL ORDINANCE NO. 69, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 69, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Sixteen Thousand Three Hundred Twenty-five Dollars (\$116,325) in the County General Fund for purposes of the Marion County Public Defender Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(v) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of an appropriation to fund staffing levels which support the Marion County Comprehensive Plan for Indigent Defense Services.

SECTION 2. The sum of One Hundred Sixteen Thousand Three Hundred Twenty-five Dollars (\$116,325) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	55,000
3. Other Services and Charges	55,000
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>6,325</u>
TOTAL INCREASE	116,325

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>116,325</u>
TOTAL REDUCTION	116,325

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 374, 1995. The proposal is an appropriation of \$262,422 for Community Corrections to pay personnel, home detention equipment and office supply expenses for fiscal year 1995/1996 financed by revenues from the Home Detention User Fee Fund. PROPOSAL NO. 375, 1995. The proposal is an appropriation of \$7,000 for Community Corrections to pay for additional bed space in the Community Corrections Residential Program financed by revenues from the Home Detention User Fee Fund. PROPOSAL NO. 418 1995. The proposal is an appropriation of \$199,877 for Community Corrections to continue the Craine House Family Living Program financed by a state grant. PROPOSAL NO. 417, 1995. The proposal is an appropriation of \$2,720 for the Superior Court, Criminal Division, Room Three, to pay for additional supply, office equipment, and parking expenses financed by a transfer of funds within the court's budget. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that it do pass.

The President called for public testimony at 11:51 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 374, 375, 418, and 417, 1995 were adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:
2 NOT VOTING: *Franklin, Giffin*
1 NOT PRESENT: *Boyd*

Proposal No. 374, 1995 was retitled FISCAL ORDINANCE NO. 70, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 70, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Two Hundred Sixty-two Thousand Four Hundred Twenty-two Dollars (\$262,422) in the Home Detention User Fee Fund for purposes of the County Auditor and Community Corrections Agency and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) and (aa) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of County Auditor and Community Corrections Agency for fiscal year 1995/1996 appropriations for personnel, home detention equipment and office supplies.

SECTION 2. The sum of Two Hundred Sixty-two Thousand Four Hundred Twenty-two Dollars (\$262,422) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION USER FEE FUND</u>
1. Personal Services	126,378
2. Supplies	9,000
3. Other Services and Charges	38,048
4. Capital Outlay	55,500
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	33,496
TOTAL INCREASE	262,422

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	262,422
TOTAL REDUCTION	262,422

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 375, 1995 was retitled FISCAL ORDINANCE NO. 71, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 71, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Seven Thousand Dollars (\$7,000) in the Home Detention User Fee Fund for purposes of the Community Corrections Agency and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(aa) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections Agency for an additional appropriation for bed space in the Community Correction Residential Program for fiscal year 1994/1995.

July 17, 1995

SECTION 2. The sum of Seven Thousand Dollars (\$7,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION USER FEE FUND</u>
3. Other Services and Charges	<u>7,000</u>
TOTAL INCREASE	7,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	<u>7,000</u>
TOTAL REDUCTION	7,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal Nos. 418, 1995 was retitled FISCAL ORDINANCE NO. 72, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 72, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional One Hundred Ninety-nine Thousand Eight Hundred Seventy-seven Dollars (\$199,877) in the State and Federal Grants Fund for purposes of the Community Corrections Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(aa) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections for the Craine House Family Living Program for 1995/1996.

SECTION 2. The sum of One Hundred Ninety-nine Thousand Eight Hundred Seventy-seven Dollars (\$199,877) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>199,877</u>
TOTAL INCREASE	199,877

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants	<u>199,877</u>
TOTAL REDUCTION	199,877

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal Nos. 417, 1995 was retitled FISCAL ORDINANCE NO. 73, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 73, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Two Thousand Seven Hundred Twenty Dollars (\$2,720) in the County General Fund for purposes of the Superior Court, Criminal Division, Room Three and reducing certain other appropriations for that court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(gg) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Superior Court, Criminal Division, Room Three for additional supplies, parking, and office equipment.

SECTION 2. The sum of Two Thousand, Seven Hundred Twenty Dollars (\$2,720) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM THREE</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	2,270
3. Other Services and Charges	<u>450</u>
TOTAL INCREASE	2,720

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM THREE</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	2,347
4. Capital Outlay	<u>373</u>
TOTAL DECREASE	2,720

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 419, 1995. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 419, 1995 on July 11, 1995. The proposal authorizing the City to issue its Resource Recovery Revenue Refunding Bonds (Ogden Martin Systems of Indianapolis, Inc. Project), Series 1996. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Curry stated that this proposal was also heard by the Public Works Committee on July 6, 1995; and by a 6-0 vote, the Public Works Committee recommends that it do pass.

The President called for public testimony at 11:55 p.m. There being no one present to testify, Councillor Curry moved, seconded by Councillor Coughenour, for adoption. Proposal No. 419, 1995, as amended, was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West

0 NAYS

3 NOT VOTING: Giffin, Rhodes, Williams

1 NOT PRESENT: Boyd

Councillor Rhodes asked for consent to abstain from voting due to a possible conflict of interest. Consent was given.

Proposal No. 419, 1995, as amended, was retitled SPECIAL ORDINANCE NO. 9, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 9, 1995

A SPECIAL ORDINANCE authorizing the Consolidated City of Indianapolis and Marion County, Indiana, to issue its Resource Recovery Refunding Revenue Bonds (Ogden Martin Systems of Indianapolis, Inc. Project), Series 1996, approving and authorizing other actions in respect thereto, and repealing ordinances inconsistent therewith.

WHEREAS, the City of Indianapolis, Indiana (the "City") has previously issued its City of Indianapolis, Indiana Adjustable/Fixed Rate Resource Recovery Refunding Revenue Bonds (Ogden Martin Systems of Indianapolis, Inc. Project), 1985 Series A, 1985 Series B, and 1985 Series C dated December 17, 1985, and issued in the original aggregate principal amount of \$109,000,000 (the "Prior Bonds"), pursuant to a Trust Indenture dated as of December 1, 1985, as restated and supplemented on March 24, 1986, and as further amended and supplemented as of March 1, 1992 (collectively, the "Original Indenture"), between the City and NBD Bank, N.A., as successor to The Indiana National Bank and INB National Bank (the "Trustee"); and

WHEREAS, in connection with the issuance of the Prior Bonds the City and Massburn, Inc., presently known as Ogden Martin Systems of Indianapolis, Inc. (the "Company"), entered into a Service Agreement dated as of September 23, 1985 (the "Service Agreement"), which the City and the Company now desire to amend in part; and

WHEREAS, pursuant to Indiana Code 5-1-5, 5-1-14, 36-1-3 and 36-9-31 (collectively, the "Refunding Law"), the City is authorized to issue refunding bonds to refund obligations of the City, including obligations such as the Prior Bonds, which refunding bonds may bear interest at a fixed rate or a variable rate and which may be sold at public or private sale or on a negotiated basis; and

WHEREAS, the City has determined to issue refunding bonds sometime between September 1, 1996 and December 2, 1996 ("Refunding Bonds"), pursuant to a Second Supplemental Indenture to be dated the date of the Refunding Bonds (the "Supplemental Indenture") between the City and the Trustee, and that in connection with the issuance of such Refunding Bonds, it is necessary and desirable to approve certain other contracts; and

WHEREAS, the Board of Public Works of the City (the "Board") in its Resolution recommended the adoption of this form of ordinance (the "Ordinance") by this Council and has further approved the substantially final forms of the Supplemental Indenture (the Original Indenture, heretofore approved by this Council, as supplemented by the Supplemental Indenture, being referred to as the "Indenture"); the Amendment to Service Agreement ("Amendment to Service Agreement") between the City and the Company; the Escrow Deposit Agreement (the "Escrow Agreement"), between the City and the Trustee, as escrow trustee; and the Forward Delivery Purchase Contract, relating to the Refunding Bonds (the "Purchase Contract"), between the City and Smith Barney Inc. ("Underwriter") (said documents referred to in this paragraph being referred to herein collectively as the "Financing Documents"); and

WHEREAS, the Board has transmitted the Financing Documents to the Council for approval of those substantially final forms; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY:

SECTION 1. It is hereby found that (a) the refinancing of the Project (as defined in the Indenture); (b) the issuance and sale of the City of Indianapolis, Resource Recovery Refunding Revenue Bonds (Ogden Martin Systems of Indianapolis, Inc. Project) Series 1996 (the "Refunding Bonds") issued pursuant to this Ordinance in an amount not to exceed \$90,000,000; and (c) the payment of principal of, premium, if any, and interest on the Refunding Bonds by the City pursuant to the Indenture, comply with the

purposes and provisions of the Refunding Law and will be of benefit to the health and welfare of the City and its citizens.

SECTION 2. The substantially final forms of the Financing Documents are hereby approved, are incorporated herein by reference, shall be inserted in the minutes of the Council and kept on file in the office of the Clerk in accordance with the provisions of IC 36-1-5-4. Two copies of each of the Financing Documents are on file in the office of the Clerk for public inspection pursuant to that statute.

SECTION 3. The City shall issue its Refunding Bonds in the total principal amount not exceeding \$90,000,000 and maturing not later than December 1, 2008, for the purpose of procuring funds to refinance the Prior Bonds, which Refunding Bonds will be payable as to principal, premium, if any, purchase price, where necessary, and interest solely from the revenues and receipts arising out of or in connection with the Financing Agreement dated as of December 1, 1985, between the City and the Company, as from time to time amended, or as otherwise provided or described therein, or, to the extent paid out of moneys attributable thereto, drawings under a letter of credit, payments under an insurance policy or drawings or payments under another credit enhancement facility as further set forth in the Indenture. The Refunding Bonds shall be issued only in fully registered form, may be issued in denominations of \$5,000 or integral multiples thereof, and shall be redeemed as provided in the Indenture. Payments of principal on the Refunding Bonds are payable at the principal corporate trust office of the Trustee or any paying agent appointed in accordance with the Indenture, and payments of interest are payable by check mailed to the registered address of the registered owners of the Refunding Bonds. The Refunding Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit or public funds of the City, nor are the Refunding Bonds a debt of the City under the Constitution of the State of Indiana.

SECTION 4. The Mayor and Controller are authorized and directed to sell the Refunding Bonds to the Underwriter pursuant to the Purchase Contract at a price not less than 98% of the principal amount thereof. The effective interest rate (taking into account any "original issue discount") on the Refunding Bonds shall not exceed 6.60% per annum.

SECTION 5. The Controller is authorized to negotiate on behalf of the City to obtain, to the extent it is financially advantageous to the City, credit enhancement for the Refunding Bonds, including without limitation a letter of credit or a policy of municipal bond insurance.

SECTION 6. The Mayor, Controller and the Clerk are authorized and directed to execute, attest, affix or imprint by any means the City seal to the Financing Documents and any other document or closing certificate which may be necessary or desirable to consummate the transactions contemplated by this Ordinance, including the Refunding Bonds. The Mayor and the Controller are expressly authorized to approve any modifications or additions to the Financing Documents which take place after the date of this Ordinance after consultation with the Corporation Counsel; it being the express understanding of this Council that said Financing Documents are in substantially final form, respectively, as of the date of this Ordinance. The approval of said modifications or additions shall be conclusively evidenced by the execution and attestation thereof, if such execution or attestation is necessary for the particular Financing Document and the affixing of the seal thereto or the imprinting of the seal thereon, where necessary, as approved by this Council by this Ordinance without further consideration by this Council; provided, however, that no such modification or addition shall change the maximum principal amount of, maximum interest rate or rates on, or the manner in which the interest rate or rates will be determined, or the final maturity of the Refunding Bonds without further consideration by this Council. The signature of the Mayor and the Controller on the Refunding Bonds may be either manual or facsimile signatures and the Refunding Bonds shall be executed as set forth in the Indenture. The Controller is authorized to arrange delivery of the Refunding Bonds to the Trustee. Payment for the Refunding Bonds will be made to the Trustee and after such payment the Refunding Bonds will be delivered by the Trustee to the Underwriter. The Controller and the Trustee may, however, arrange with the Underwriter to allow the Underwriter to have custody of the Refunding Bonds prior to the time of actual delivery and payment for purposes of making arrangements for the final delivery of the Refunding Bonds to the ultimate purchasers thereof so long as no such final deliveries are made until payments to the Trustee are made as set forth in this Section.

SECTION 7. The substantially final form of Preliminary Official Statement (the "Preliminary Official") presented to this meeting is approved for distribution by the Underwriter. The Controller of the City is authorized to deem final the Preliminary Official Statement in the form actually distributed by Underwriter with such changes from the form hereby approved as shall be approved by the Controller and Corporation Counsel, all in accordance with Rule 15c2-12 of the Securities and

July 17, 1995

Exchange Commission. The Mayor is hereby authorized to execute the final Official Statement (containing maturities, interest rates and other details fixed by marketing of the Refunding Bonds) in substantially the form of the Preliminary Official Statement as deemed final by the Controller.

SECTION 8. The provisions of this Ordinance and the Indenture securing the Refunding Bonds shall constitute contracts binding between the City and the respective owners of the Refunding Bonds, and after the issuance of the Refunding Bonds, this Ordinance shall not be repealed or amended in any respect which may adversely affect the rights of any such owner so long as any Refunding Bonds or the interest thereon remains unpaid.

SECTION 9. All ordinances and parts of ordinances in conflict or inconsistent herewith are hereby repealed.

SECTION 10. This ordinance is enacted in accordance with the Refunding Law and shall be in full force and effect upon its adoption and compliance with IC 36-3-4-14.

Councillor Rhodes said that the Administration and Finance Committee had a hearing on July 10, 1995 concerning Maxicare, which was introduced on April 10, 1995 as Proposal No. 233, 1995. Councillor Rhodes moved to strike Proposal No. 233, 1995. Proposal No. 233, 1995 was stricken by a unanimous voice vote.

ANNOUNCEMENTS AND ADJOURNMENT

Robert G. Elrod, General Counsel, made the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 95-Z-42 (95-DP-2), Council Proposal No. 468, 1995, at its next regular meeting on August 1, 1995, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 304 acres at 9602-9902 Fall Creek Road from D-S and D-1 districts to D-P classification to provide for planned unit residential development, consisting of 421 detached single-family residential units (overall density of 1.38 units per acre) with approximately 70 acres designated as nature sanctuary.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

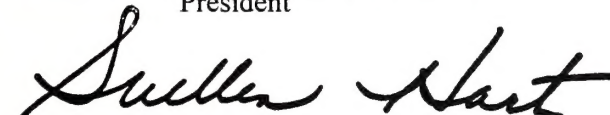
There being no further business, and upon motion duly made and seconded, the meeting adjourned at 11:58 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 17th day of July, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President

ATTEST:


Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA

REGULAR MEETINGS
TUESDAY, AUGUST 1, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:00 p.m. on Tuesday, August 1, 1995, with Councillor SerVaas presiding.

Councillor O'Dell led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

25 PRESENT: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West
4 ABSENT: Boyd, Gilmer, Short, Williams

[Clerk's Note: Councillors Gilmer and Short were absent due to another Council assignment.]

The President announced that Councillor Boyd is recovering successfully from surgery. A quorum of twenty-five members being present, the President called the meeting to order.

OFFICIAL COMMUNICATIONS

The Honorable Stephen Goldsmith, Mayor, presented his annual city budget to the Council with the following remarks:

Thank you Mr. President and members of the council. I appreciate the council's indulgence as I present my fourth budget as mayor. I have three direct and simple messages about this year's budget: smaller government; more resources for public safety; and better services and more control in the delivery of those services.

Smaller government

The budget for 1996 is down again, from \$446 million last year to \$438 million this year. This will be the eighth straight year without a property tax increase and the council deserves substantial praise for its efforts to hold the line on property taxes for that long of period of time. I appreciate your efforts to have the other municipal corporations fall in line as well. This will be the fourth straight year that the number of City employees has been reduced; down from 3,855 in 1995 to 3,773 in 1996. We are down over a third of our non-public-safety workforce since the first budget. The budget is balanced and the City will take in approximately \$1 million more than it will spend next year.

More resources devoted to public safety

Inside this small-government budget is a very important continuing shift that this council has approved: the dramatic move to public safety in the investment of our resources. We are devoting much more in terms of resources and a higher percentage of our budget to public safety than ever before. For example, in 1991 the City spent \$138 million on public safety. This year we will spend \$164 million. The annual budget is up in public safety by \$26 million since 1991 without a property tax increase. This is a remarkable reinvestment of resources in what many of us would agree is the core responsibility of government -- to make sure our streets are safe.

Each year a higher and higher percentage of the workforce is devoted to public safety. The 1996 budget allows for 60% of the total City workforce to be involved in public safety. In this budget, if approved by the council, we will go from 986 uniformed police officers in 1995 to 1,004 police officers in 1996. Counting the jobs that have been civilianized, this will be the most officers on the street that we can find in a very long time. There is a very substantial and accelerated shift of resources to the areas of public safety.

Better service and control

Despite some consistent confusion about the competition and privatization process, this year's budget will provide more performance measures and more accountability for the council and citizens than ever before. Every time we have competed out a service, whether the City employees have won or the private sector has won, the quality and quantity of the service has increased. For example:

Wastewater treatment privatization, which this council approved, has improved water quality. Permit exceedences last year dropped by 86%. The number of union grievances dropped from 38 to 1.

Golf course privatization has improved the quality of our courses. Seventy-five percent of golfers surveyed say the courses are better. There have been no complaints from any golfer this year. And play is up 13%.

Solid waste competition, in which our own employees won an increased market share, has improved service. Complaints to the Mayors Action Center this year are down 15%.

The same type of service improvement has occurred in vehicle maintenance and every other area that has been competed out.

If I could digress for a second, this is why the recent newspaper and television stories about Metro are a bit troubling. In fact, what is occurring is that as the federal government cuts half of the operating subsidy for Metro, the City is moving into the area of competing out service. The big winners next January when the City takes over several services will be those who are poor, unemployed or underemployed, and transit dependent as the total number of rides that are produced will go up, not down. The total number of rides available in our community will go up, not down because this council will have the ability to buy \$5 million worth of transportation services in the open market, dramatically driving up the results. And I might mention to you because sometimes the efforts of municipal corporations go slightly unnoticed, that when the rides for the disabled were bid out, what's called Open Door, the number of rides per dollar doubled as a result of competition. The City administration and council together will be in a position to provide the most effective transit services, and we will be maybe one of the few cities in the country that will escape significant downsizing in terms of routes because of the cuts in Washington.

Finally many of you ask, publicly and privately, where have the savings from competition gone. Let me summarize some of these quickly.

Our general fund balances have increased by \$22 million, from \$50 million in 1991 to \$72 million at the end of 1994. The public safety budget is up \$26 million. Building Better Neighborhoods has funded \$500 million in roads, bridges and sewers and sidewalks without a property tax increase. We have funded the first \$30 million of the United Airlines liability and we have substantially enhanced the delivery of a number of services.

All of these activities have been accomplished without any property tax increase, any increase in the County Option Income Tax, and without any significant user fee increase.

August 1, 1995

I have enjoyed the opportunity to present this budget and previous budgets to the council and the opportunity to work with leadership and the councilors as well. Together we have achieved pretty remarkable results.

Safe streets: We have more officers, more take home cars, more computer equipment, more substations and a significant decrease in violent crime this year in Indianapolis -- a decrease in violent crime this year in Indianapolis.

Strong neighborhoods: You have all seen the results of Building Better Neighborhoods. Even in Center Township, which had been troubled for a long period of time, we are seeing more homes rehabilitated or built than at any time since World War II. Our suburban townships saw more growth last year than any year in the history of the city. Our old city saw more activity anywhere you go. As an example, in Fountain Square the neighborhood residents have been marching against the crack dealers and we have been investing in streets and houses. We have seen a 50% decrease in violent crime in the general Fountain Square area. It shows what we can do when we work together.

Thriving economy: The economy is booming at a record pace. In fact, our Indianapolis economy is essentially superheated, our big problem now is an acute labor shortage throughout the marketplace.

Conclusion

Many people ask where the competition process stops. It doesn't. We will keep competing over and over again. Our employees continue to get better the more they are faced with competition, and the private sector needs to be in competition as well to keep it on its toes.

We have plenty of obligations still ahead. We have significant liability left for United Airlines, even though we have bought our way through the first three years. Police and fire pension funds remain essentially unfunded from the situation before 1977. And infrastructure -- in particular combined sewer overflow -- remains a problem.

But Indianapolis today is one of, if not *the* healthiest large city in the country, with our citizens more involved, more jobs created, more homes redone, a stable budget and a community that is working together in ways that are dramatic.

We understand our obligation to the council to present the budget in detail and be held accountable for results as well as inputs and we will be prepared for the budget process as called upon. Thank you Mr. President.

The Honorable John von Arx, Auditor, had the following remarks concerning the county budget:

Mr. President, members of the City-County Council, and citizens of Marion County,

Preparing the 1996 Marion County budget was perhaps the most exciting and challenging budget process for the County since the inception of UNIGOV. This budget introduces to the people of Marion County a number of initiatives which promise better service and more efficient delivery of Justice for all our citizens. This would include a new Unified Superior Court, merging the property rooms of the Indianapolis Police Department and the Marion County Sheriff's Department, and consolidating the dispatching operations of both law enforcement agencies. This budget also follows last years pattern of planning for future jail expansion by increasing the County's reserves for this project by an additional \$2.5 million. And, this budget does all of this and more without an increase in the property tax rate or the County Option Income Tax rate!

As Marion County grows and our economy thrives, the demand for County services will rise as well. With this budget, County government is preparing for the challenges of the 21st century. The County is continuously investing in our public's safety. And County government is becoming better and more efficient by concentrating on the present and future needs of our community. Unified courts will vastly improve the judicial process. New technologies are providing advanced information processing and record keeping.

Unification of Marion County's Superior Court was made possible with approval by the State Legislature and represents, perhaps the greatest change to Marion County government since UNIGOV was adopted.. Briefly, the Unified Superior Courts are the combination of the old Municipal Courts and Superior Courts, which include the Civil, Criminal, and Juvenile Division. This unification combines 33 separate courts and their staff, 3 different Probation Departments and the operations of a Court Administrator into one agency to allow for equalizing case loads and better management of the judicial system. Unification will bring economies of scale and allow for the redistribution of resources among all the courts of Marion County. Unification will also bring about the centralized management this court system has needed for years.

Under 33 separate courts, of which 15 courts were under the Municipal Court system, each court acted individually - Each court had a separate budget - and each court had its own staff. Under the "old" system, two identical courts could have the same number of employees but one court could have double the case load of the other. Under Unification, the courts can spread their resources evenly according to need and case load.

CHART 1

As this chart shows, the existing court system has 18 separate courts, each with a separate budget and staff. One of those courts, Municipal, has 15 additional courts and its own probation department. The Juvenile Court and Center currently operate 4 courts, their own probation department and a Juvenile Detention Center. Other agencies included are Criminal Court Probation, Court Administrator, Domestic Relations, Law Library, and General Term Reporter. This brings the total number of budgets to manage up to 23! Each budget is reviewed and approved by the Council but there is very little fiscal coordination between these entities.

CHART 2

This second chart shows the organization structure of the new "Unified" court system. The Presiding Judges are responsible for centrally coordinating the operations the Civil, Criminal, and Juvenile Courts. A distinct change calls for the Probation Departments to report to the Presiding Judges as well. The scope of the Court Administrator will be dramatically expanded to serve ALL courts. Previously, the Administrator only served the Superior Courts on a limited basis. The Administrator also retains the oversight responsibilities for the Law Library, Domestic Relations, General Term Reporter and the Jury Pool.

Centralized management was unthinkable under the "old" system. However, under the Unified Court there will likely be a professional business manager for all superior courts. The manager's responsibilities may range from budget preparation and financial management to court room scheduling and staffing. The manager may also handle the jury pool, law library, and domestic relations. Under the direction of the two new Presiding Judges, the court administrator will likely be responsible for all management activities of the court system.

There have been many expectations regarding financial savings attributed to court unification since this debate began. Efficiencies and improvements will undoubtedly be recognized from the reorganization and benefit our court system for years to come. Developing the 1996 budget with an entirely new organizational structure was done so with care and prudence to allow for a smooth short term transition and long term efficiencies. Neither the public nor any court should notice any interruption when unification occurs on January 1st.

The Honorable Judge Taylor Baker has held the position of Presiding Judge of the Municipal Courts for the past year. The Honorable Judge James Payne currently serves as Presiding Judge for the Superior Courts. These challenging positions have been well served by Judge Baker and Judge Payne and their contribution to passage of the Unified Courts bill is greatly appreciated. Judges Wendell Mayer and Steven Eichholtz will assume their new positions as Presiding Judges of the Unified courts on January 1, 1996. In January of 1997, an additional Presiding Judge will be added. This new court system is the result of countless hours of study and work to design a court system worthy of this County. Unification of the courts promises to bring a new beginning to the deliberation of Justice for our citizens. I will continue to pledge the assistance of my office to help you accomplish this most important duty.

Providing Public Safety may be the most important job of County government. 1996 will strengthen law enforcement by consolidating the property rooms of the Sheriff's Department and IPD. Consolidation of these law enforcement activities will allow more officers on the street and better operations of the property room. The Sheriff and IPD are also in the process of combining dispatching operations into the Sheriff's office. Combining dispatching will bring to the public, and our public safety officials, consistent quality and better delivery of service. This combination will be discussed in greater detail with the public and the Council in committee as the proposal develops.

Perhaps the most pressing issue before this Council and County government is prisoner overcrowding at the Marion County Jail. Jail capacity is at the maximum allowed under a Federal Court order. This has been a persistent problem over several years and we began preparing for this expansion by reserving \$2.5 million in the 1995 budget for costs associated with the expansion. The 1996 County budget continues by reserving an additional \$2.5 million. This \$5 million fund balance plus the amount set aside in future years, will help alleviate an obviously substantial future cost.

THIRD CHART

Marion County is also responsible for our juveniles in institutions. Bills from the State to the County for juveniles in the Boys School and Girls School are growing at a phenomenal rate. In 1989 the County received bills totaling \$1,769,358 from the State for Boys and Girls Correctional schools. Bills for 1994 had risen to \$4,839,129...an increase of 173.5% in just six years! This frightening statistic reflects the growing pressure on our law enforcement agencies, our courts, and our adult and juvenile holding facilities. Clearly, this is the fastest rising line item in the County's Budget increasing \$1.8 million in 1996 alone!

August 1, 1995

The 1996 budget of \$147.6 million is higher than the 1995 revised budget by 2.2%. The 1996 budget better represents the actual needs of County government to operate for a full year. Included in the 1996 operating budget are more special revenue funds which the Council has previously appropriated as a separate budget. Including those funds in the proposed budget should require fewer budget revisions for County agencies next year.

You may recall that in the last couple years, the County General Fund balance had dropped below recommended levels. By controlling spending and aggressively pursuing additional revenues, the fund balance has improved significantly. With the help of this Council, wise spending decisions and strategic planning have helped control the growth of County spending. The General Fund budget is now \$12.5 million lower than in 1994 or 9.5% less, the County is operating with 260 fewer employees, and the General Fund Balance has been restored to acceptable levels. The result of all this hard work has helped the County retain its outstanding AAA bond rating. However, to avoid returning to these hard times, conservative budgetary practices must prevail. The emphasis for the County's financial situation must be on strong budget controls over line-item spending and improved revenue collections.

A recent survey of other Indiana counties has revealed that Marion County is collecting a smaller portion of some revenues than other counties. Those revenues range from Supplemental Public Defender Fees to various court costs. In order to correct this imbalance, the Auditor's Office has just recently entered into an agreement with a private consulting firm to conduct a comprehensive revenue study of Marion County's finances. The purpose of this study is to compare our local County's system of service fees to other similar counties in Indiana and throughout the country. We believe this study will identify new revenue sources and better collection methods to reduce the County's reliance on property taxes and the local income tax.

1996 will mark a reassessment year for Indiana property tax payers. The last reassessment occurred in 1990 and revalued property an average of 30% higher. Fortunately for taxpayers, reassessment is revenue neutral for governments. Although taxable values rise under reassessment, tax rates fall proportionately. The tax rates approved by this Council for the 1996 budget will be adjusted downward next January to reflect those new values. The growth in property taxes of 3.4% for the county is projected based on economic growth and expansion, **NOT** a rising tax rate.

I would like to close with some good news about a critical state and county finance problem Indiana has grappled with for the last 6 years - the rising cost of child welfare and the ineffective outcomes it produced in the lives of children. After much study and research, it became apparent that Indiana had very little investment in the front end of the system - trying to prevent the problem before we ultimately saw all of the expensive out of home placements. What was needed was a focus on prevention while also being conscious of its cost. Well, last year an Auditor's Office initiative passed into state law, and the result is a sight now familiar to most Hoosier motorists.

FOURTH CHART

Proceeds from this plate go directly to the Indiana Children's Trust Fund for preventing child abuse. Sales of the license plate have surpassed even our wildest dreams, raising over \$1,000,000 in just the first half of this year. It's addressing a problem "up front" rather than dealing with the often tragic results. The success of this program will save some children from a life-time of pain and keep them out of the costly Welfare system, doing so without a dime of taxpayer dollars. In addition, 1994 marked the first time since 1982 that neither welfare nor poor relief borrowing occurred - a trend that we expect will continue through 1996.

As you deliberate over this budget and examine the details of this plan, you will hopefully find this budget addresses many of the problems facing this County. Preparing for increasing the capacity at the jail, "Unification" of the Marion County courts, and consolidating some operations of the Sheriff's Department and Indianapolis Police Department are all helping prepare Marion County for the challenges ahead. In fact, the "over the guideline" request of County agencies is significantly less than the levels it has been at in the past.

In closing, I look forward to working with the Council during the next few months as we move on through the budget process. I know you can depend on all County officials to provide you with the additional information you may require in order to have the best possible budget plan for the citizens of our County.

Thank you and good night.

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

Journal of the City-County Council

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Tuesday, August 1, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

July 18, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Thursday, July 20, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 416, 441, 442, and 444, 1995, and a NOTICE OF PUBLIC HEARING on Proposal No. 468, 1995, to be held on August 1, 1995 at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

July 24, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

GENERAL ORDINANCE NO. 112, 1995 - prohibiting the use of skateboards in the Broad Ripple business district

FISCAL ORDINANCE NO. 67, 1995 - an appropriation of \$3,200,000 of Community Development Block Grant Section 108 funds to carry out the following economic development projects: (1) the West Michigan Street Redevelopment Project, (2) the Mainscape Project, and (3) the New East Industrial Center and the Opportunity Factory

FISCAL ORDINANCE NO. 69, 1995 - an additional appropriation of \$116,325 for the Public Defender Agency to achieve staffing levels sufficient to qualify for state reimbursement in excess of such increases

FISCAL ORDINANCE NO. 70, 1995 - an appropriation of \$262,422 for Community Corrections to pay personnel, home detention equipment and office supply expenses for fiscal year 1995/1996 financed by revenues from the Home Detention User Fee Fund

FISCAL ORDINANCE NO. 71, 1995 - an appropriation of \$7,000 for Community Corrections to pay for additional bed space in the Community Corrections Residential Program financed by revenues from the Home Detention User Fee Fund

FISCAL ORDINANCE NO. 72, 1995 - an appropriation of \$199,877 for Community Corrections to continue the Craine House Family Living Program financed by a state grant

SPECIAL ORDINANCE NO. 7, 1995 - authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$3 million for SOHL Associates, LLC (southwest corner of 62nd Street and Guion Road (District 9)

SPECIAL ORDINANCE NO. 8, 1995 - authorizes the County Recorder to charge a supplemental fee of \$3 per document for recording documents

SPECIAL ORDINANCE NO. 9, 1995 - authorizing the City to issue its Resource Recovery Revenue Refunding Bonds (Ogden Martin Systems of Indianapolis, Inc. Project), Series 1996

August 1, 1995

SPECIAL RESOLUTION NO. 61, 1995 - concerns Indianapolis, U.S.A., and Scarborough, Canada

SPECIAL RESOLUTION NO. 62, 1995 - recognizes the 25th anniversary of Indiana Black Expo

SPECIAL RESOLUTION NO. 63, 1995 - concerns the Garfield Park Grove of Remembrance

SPECIAL RESOLUTION NO. 64, 1995 - asks the Metropolitan Development Commission to enforce long-standing policy with respect to advertising signs inside the I-465 beltway

SPECIAL RESOLUTION NO. 65, 1995 - an inducement resolution for Faris Avenue Limited Partnership in an amount not to exceed \$8 million to proceed with the acquisition, renovation and equipping of the existing 354 unit multi-family residential rental facility located at 6875 Faris Avenue (District 11)

SPECIAL RESOLUTION NO. 66, 1995 - an inducement resolution for Emerald Green Housing Partners, Ltd, in an amount not to exceed \$12,875,000 to proceed with the acquisition, renovation and equipping of the existing 192 unit multi-family residential rental facility plus the construction of an additional 184 multi-family residential rental unit located at 6363 Commons Drive (District 1)

SPECIAL RESOLUTION NO. 67, 1995 - concerns movie video tape distribution by the Indianapolis-Marion County Public Library

Respectfully,
s/Stephen Goldsmith, Mayor

Councillor O'Dell presented a report on the Scarborough Peace Games, which were held in Scarborough beginning the last weekend in July. A formal sister city relationship will be explored between Scarborough and Indianapolis. Councillor Curry reported that last week Indianapolis hosted the International Sister City Conference, which had representatives from forty countries.

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journals of June 26 and July 17, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 495, 1995. The proposal, sponsored by Councillor Jones, recognizes the 100th Anniversary of *The Indianapolis Recorder*. Councillor Jones read the proposal and moved for its adoption. Proposal No. 495, 1995 was adopted by a unanimous voice vote.

Proposal No. 495, 1995 was retitled SPECIAL RESOLUTION NO. 68, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 68, 1995

A SPECIAL RESOLUTION recognizing the 100th Anniversary of *The Indianapolis Recorder*.

WHEREAS, one hundred years ago, in 1895, Benjamin Harrison had just concluded his Presidency, Civil War vets were holding huge annual conventions, Black notable George Washington Carver was hitting his stride and abolitionist Frederick Douglass passed away, the city council conducted a special

investigation on corruption in the Indianapolis Department of Public Works and city firemen were paid \$821.25 a year; and

WHEREAS, that year, *The Indianapolis Recorder* began production as a simple newspaper reporting on Church activities, and later expanded to include social, entertainment and general news of special interest to the city's Black community; and

WHEREAS, through ten decades, *The Indianapolis Recorder* has grown to emphasize the Black viewpoint, Black entertainment, specialized advertisements, business news, a healthy dose of positive news about people's achievements and, just like in 1895, strong coverage of Church news; and

WHEREAS, *The Indianapolis Recorder*, the nation's third oldest Black newspaper, is commemorating its Centennial Year with speakers, an Aretha Franklin concert, a documentary film and a special 100-page anniversary issue of the newspaper; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates *The Indianapolis Recorder* for its 100 years of publication.

SECTION 2. The Council wishes the best of continued success to the paper's owner William Mays, General Manager Charles Blair, its employees, distributors, advertisers and to its great number of loyal readers.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 496, 1995. The proposal, sponsored by Councillor Rhodes, recognizes Mary A. "Dubbie" Buckler. Councillor Rhodes read the proposal and presented a copy of the document to Ms. Buckler, who expressed appreciation for the recognition. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 496, 1995 was adopted by unanimous voice vote.

Proposal No. 496, 1995 was retitled SPECIAL RESOLUTION NO. 69, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 69, 1995

A SPECIAL RESOLUTION recognizing Mary A. "Dubbie" Buckler.

WHEREAS, one of the highest honors that one can receive is recognition which comes from one's peers; and

WHEREAS, Marion County Treasurer Mary A. "Dubbie" Buckler was recognized by such an honor last week when an affiliate of the National Association of Counties presented her with the "Victor E. Martinelli Outstanding Treasurer's Award", an annual award to one person who has been a leader and a professional of the highest caliber in the operation of their county office; and

WHEREAS, Dubbie is the first woman ever elected as Marion County Treasurer, and for the past seven years she has busied herself upgrading the office with advanced electronic technology, has had no office budget increase in three years, reduced her staff by 22%, and manages over \$1.8 billion annually to the complete satisfaction of state government and external auditors; and

WHEREAS, Dubbie has served as Legislative Committee Chair of the Indiana County Treasurer's Association for the past three years which involved her lobbying the state legislature for laws to help county treasurers serve the taxpayers more efficiently; and

August 1, 1995

WHEREAS, she is a lifelong resident of Marion County, is a graduate of Decatur Central High School and Butler University and she brings her energy and vitality to numerous civic and volunteer organizations; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates Mary A. "Dubbie" Buckler for being awarded by her peers with the top honor in the nation for county treasurers.

SECTION 2. Indianapolis and Marion County are indeed fortunate to have competent, dedicated and dynamic citizens such as Marion County Treasurer Dubbie Buckler who choose to take an active role in helping make this city and county work -- and now her counterparts around the nation have recognized that fact as well.

SECTION 3. The Council is proud of Dubbie and her dedicated staff for earning and bringing home this national recognition.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 497, 1995. The proposal, sponsored by Councillor Jimison, requests the city administration to conduct a feasibility study about placing an edu-care center in the City-County Building. Councillor Jimison read the proposal and moved for its adoption. Councillor Brents seconded the motion. Proposal No. 497, 1995 was adopted by a unanimous voice vote.

Proposal No. 497, 1995 was retitled SPECIAL RESOLUTION NO. 70, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 70, 1995

A SPECIAL RESOLUTION requesting the city administration to conduct a feasibility study about placing an edu-care center in the City-County Building.

WHEREAS, the Council recognizes that the vitality and well-being of families and young children is extremely important, especially in this day and age; and

WHEREAS, locating good, safe, convenient and affordable care for their young children is a major concern for young couples and single parents; and

WHEREAS, many private and not-for-profit companies and governmental units care enough about their valued employees to take the trouble to arrange for convenient edu-care for their employees' young children, often in the workplace building; and

WHEREAS, such a concern for city and county employees and their families can translate into workers paying greater attention to their work at hand, reduce family stress, improve worker morale and could serve as an inspiration and model for other employers in the community; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council finds that creating an edu-care center in, or near, the City-County Building for the employees may well be a needed and desirable pro-family and productivity enhancing action.

SECTION 2. The Council asks the city administration to establish an Edu-Care Feasibility Study Committee with some staff support to carefully examine the desirability, estimated demand, costs,

survey the experiences of other edu-care centers and prepare a report of its findings to the Mayor and Council.

SECTION 3. The Council asks for a progress report from the Committee during October, 1995, and at least quarterly thereafter.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 477, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Comprehensive Zoning Maps of Marion County by updating base maps #4, #23, #24, and to correct mapping errors on base maps #14D, #18C, #28C, and #35B"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 478, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes certain zoning procedures for Marion County"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 479, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which amends Special Resolution No. 48, 1995 to correct the schedule of approved Community Development Block Grant programs"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 480, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Charles Hiltunen to the Cable Franchise Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 481, 1995. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which authorizes the lease of office space for the Franklin Township Assessor at 4531 Independence Square"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 482, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves a public purpose grant in the amount of \$65,000 to Indiana University at Indianapolis for the purpose of financing educational access cable television programming"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 483, 1995. Introduced by Councillors Curry, Hinkle, and Giffin. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the issuance of \$13 million of Notes for the purpose of paying the costs of certain infrastructure improvements in the Decatur Township portion of the Airport Industrial Economic Development Area"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 484, 1995. Introduced by Councillors Rhodes and Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which concerns leasing of right-of-way for vending from carts and stands, replaces current system of licensing carts, and recodifies other relevant provisions"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 485, 1995. Introduced by Councillors Giffin, Franklin, and Gray. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the lease by the Indianapolis Department of Parks and Recreation of approximately 35 acres of land formerly known as the Riverside Nursery to R. N. Thompson & Associates, Inc. for the construction, development, and management of a golf academy"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 486, 1995. Introduced by Councillors Giffin, Franklin, and Gray. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the lease by the Indianapolis Department of Parks and Recreation of approximately 150 acres of land currently consisting of a nine-hole golf course and driving range and commonly referred to as Winding River Municipal Golf Course to R. H. West Management Corporation for the construction, development, and management of an eighteen-hole golf course"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 487, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$7,754 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 488, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$89,957 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a Family and Social Services Administration grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 489, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints William Brown to the Air Pollution Control Board"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 490, 1995. Introduced by Councillors Curry and Golc. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the Agreement for the Operation and Maintenance of the Indianapolis International Airport Facilities by and Between the Indianapolis Airport Authority, BAA Indianapolis LLC, and BAA USA Holdings, Inc."; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 491, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which elects to fund MECA in 1996 with COIT revenues"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 492, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Wallace Avenue and Walnut Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 493, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Euclid Avenue and 15th Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 494, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking for marked police vehicles only for the southside of Market Street from Alabama Street to Delaware Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 498, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Police Special Service District Fiscal Ordinance which is the annual budget for the Police Special Service District for 1996"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 499, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fire Special Service District Fiscal Ordinance which is the annual budget for the Fire Special Service District for 1996"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 500, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Solid Waste Collection Special Service District Fiscal Ordinance which is the annual budget for the Solid Waste Collection Special Service District for 1996"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 501, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for the Revenue Bonds Debt Service Funds for 1996"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 502, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for the Marion County Office of Family and Children for 1996"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 503, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for the Metropolitan Emergency Communications Agency for 1996"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 504, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for Indianapolis and Marion County for 1996"; and the President referred it to various committees.

PROPOSAL NO. 505, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$770,000 for the County Sheriff to proceed with the jail expansion in the east wing of the City-County Building

financed from the County General Fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

Councillor Schneider moved to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 505, 1995, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on August 28, 1995. This motion was seconded by Councillor McClamroch, and passed by unanimous voice vote.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 506-513, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on July 20, 1995." The Council did not schedule Proposal Nos. 506-513, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 506-513, 1995 were retitled REZONING ORDINANCE NOS. 107-114, 1995 and are identified as follows:

REZONING ORDINANCE NO. 107, 1995. 95-Z-65 FRANKLIN TOWNSHIP.
COUNCILMANIC DISTRICT # 23.

5577 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.
SANDLIAN INVESTMENTS COMPANY, by Thomas Michael Quinn, requests the rezoning of 4.971 acres, being in the C-4 District, to the C-S classification to provide for construction of mini-warehouses.

REZONING ORDINANCE NO. 108, 1995. 95-Z-28A (Amended) FRANKLIN TOWNSHIP.
COUNCILMANIC DISTRICT # 23.

5886 SOUTH FRANKLIN ROAD (approximate address), INDIANAPOLIS.
EDGEWOOD PROPERTIES, L.P., by Thomas Michael Quinn, requests the rezoning of 98.333 acres, being in the D-6II District, to the D-4 classification to provide for residential development.

REZONING ORDINANCE NO. 109, 1995. 95-Z-28B (Amended) FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT # 23.

5606 SOUTH FRANKLIN ROAD (rear) (approximate address), INDIANAPOLIS.
EDGEWOOD PROPERTIES, L.P., by Thomas Michael Quinn, requests the rezoning of 1.26 acres, being in the D-6II District, to the C-4 classification to provide for commercial development.

REZONING ORDINANCE NO. 110, 1995. 94-Z-122 DECATUR TOWNSHIP.
COUNCILMANIC DISTRICT # 19.

5882-5514 WEST HANNA AVENUE (approximate address), INDIANAPOLIS.
AIRPORT CENTRE REALTY, L.P., by Stephen D. Mears, requests the rezoning of 97.87 acres, being in the D-A and D-4 Districts, to the C-S classification to provide for a business park, including office and industrial development.

REZONING ORDINANCE NO. 111, 1995. 95-Z-80 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 12.

1701 MITTHOEFER ROAD (approximate address), INDIANAPOLIS.
STEPHEN L. BORDEN, by Stephen D. Mears, requests the rezoning of 2.47 acres, being in the SU-7 District, to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 112, 1995. 95-Z-88 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 20.

7218 U.S. HIGHWAY 31 SOUTH (approximate address), INDIANAPOLIS.
TED M. REESE, DDS requests the rezoning of 1.0 acre, being in the D-A District, to the C-1 classification to legally establish an for existing dental office.

REZONING ORDINANCE NO. 113, 1995. 95-Z-93 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 22.

1920, 1929 COLUMBIA AVENUE (approximate address), INDIANAPOLIS.

THREADED ROD COMPANY, INC., by Stephen D. Mears, requests the rezoning of 1.85 acres, being in the D-8 and C-3 District, to the I-3-U classification to provide for the expansion of an existing building and to legally establish a parking lot, for an existing industrial operation.

REZONING ORDINANCE NO. 114, 1995. 95-Z-103 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 14.

10304 EAST 38TH STREET (approximate address), INDIANAPOLIS.

ROCK OF FAITH BAPTIST CHURCH, by Raymond Good, requests the rezoning of 10 acres, being in the D-A(FF) District, to the SU-1(FF) classification to provide for church use.

REZONING ORDINANCE NO. 115, 1995. 95-Z-104 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 13.

601 and 802 SOUTH KITLEY AVENUE (approximate address), INDIANAPOLIS.

AMERICAN PRODUCTIONS, INC., by Gilbert E. Mascher, requests the rezoning of 24.84 acres, being in the I-3-U and I-3-S Districts, to the C-S classification to provide for the continued use and development of a racetrack and associated facilities.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 468, 1995. The proposal approves Petition No. 95-Z-42 (95-DP-2) to rezone 304 acres at 9602-9902 Fall Creek Road from the D-S and D-1 Districts to the D-P classification to provide for planned unit residential development. The President stated that the attorneys for the petitioner and the remonstrators in this case are negotiating at this time. Proposal No. 468, 1995 will be heard later.

[Clerk's Note: Councillor Dowden was not in the chambers; he was with the attorneys, the petitioner and the remonstrators discussing Proposal No. 468, 1995.]

The President said that in Councillor Gilmer's absence, Councillor Hinkle would present the Capital Asset Management Committee reports.

PROPOSAL NO. 338, 1995. Councillor Hinkle reported that the Capital Asset Management Committee heard Proposal No. 338, 1995 on July 5 and July 19, 1995. The proposal consolidates the Ordinance Violations Bureau and the Revenue Enhancement Division within the Office of Corporation Counsel. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Beadling stated that she voted against this in Committee because (1) she believes the Ordinance Violations Bureau did a very good job of collecting traffic fines, and (2) she is against transferring this collection agency to the 16th floor of the City-County Building since the traffic tickets are paid on the first floor.

Councillor Jimison asked if the reorganization has already taken place. Sue Beesley, Corporation Counsel, answered that the entire reorganization is not completed. Councillor Jimison further asked what functions will be transferred to Corporation Counsel and what functions will remain with the Department of Capital Asset Management ("DCAM"). Ms. Beesley replied that the maintenance and operation of parking meters will remain with DCAM; the collection of traffic fines will be transferred to Office of Corporation Counsel, Collection Division.

August 1, 1995

The President called for public testimony at 8:30 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Mullin, for adoption. Proposal No. 338, 1995, was adopted on the following roll call vote; viz:

20 YEAS: Borst, Brents, Curry, Dowden, Franklin, Giffin, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

5 NAYS: Beadling, Black, Coughenour, Gray, Jimison

0 NOT VOTING:

4 ABSENT: Boyd, Gilmer, Short, Williams

PROPOSAL NO. 338, 1995 was retitled GENERAL ORDINANCE NO. 113, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 113, 1995
Proposal No. 338, 1995

A GENERAL ORDINANCE amending the Revised Code of the Consolidated City and County, creating a Collections Division in the Office of the Corporation Counsel.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Article II of the Chapter 202 of the Revised Code of the Consolidated City and County is hereby amended by adding a new section 202-104 (which amends Sec. 202-206 by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 202-206 -104. ~~Revenue enhancement~~ Collections division.

The office of ~~city controller~~ corporation counsel shall include a ~~revenue enhancement~~ collections division, the powers and duties of which shall include:

- (1) Acting as the agent in collecting receivables of any nature for city departments or divisions or county offices. Any such department, division or office may, at its option, request the assistance of the ~~revenue enhancement~~ collections division in establishing collecting procedures and in pursuing any outstanding receivables;
- (2) Establishing such collection procedures as may be in the best interest of the city and the county;
- (3) Collecting from debtors owing receivables to any department, division or office of the city or county the costs of such collection activities, on behalf of the ~~revenue enhancement~~ collections division and such department, division or office, as allowed by law;
- (4) Contracting with collection agencies and such other service providers as the ~~controller~~ corporation counsel deems appropriate to pursue the purposes of the division; and
- (5) Exercising any other powers which may be granted by statute or ordinance or delegated by the mayor.

SECTION 2. Article II of the Chapter 202 of the Revised Code of the Consolidated City and County is hereby amended by adding a new section 202-105 (which amends Sec. 271-521 by deleting the stricken-through text and inserting the underlined text) to read as follows:

Section ~~271-521~~ 202-105: Ordinance violations bureau.

An ordinance violations bureau is established within the ~~parking management~~ collections division of the ~~department of capital asset management~~ office of corporation counsel for purposes authorized by chapter 3 of article 6 of title 33 of the Indiana Code (IC 33-6-3).

SECTION 3. Article II of the Chapter 202 of the Revised Code of the Consolidated City and County is hereby amended by adding a new section 202-106 (which amends Sec. 271-522 by deleting the stricken-through text and inserting the underlined text) to read as follows:

Section 271-522 202-106. ~~Violations clerk; appointment~~ Administration of ordinance violation bureau.

The ordinance violations bureau shall be administered by ~~the violations clerk~~. ~~The violations clerk shall be a violations clerk appointed by and serve serving at the pleasure of the director of the department of capital asset management corporation counsel.~~

SECTION 4. Article II of the Chapter 202 of the Revised Code of the Consolidated City and County is hereby amended by adding a new section 202-107 (which amends Sec. 271-523 by deleting the stricken-through text and inserting the underlined text) to read as follows:

Section 271-523 202-107. Duties of ~~violations clerk and~~ ordinance violations bureau.

The ~~violations clerk and~~ ordinance violations bureau shall be responsible for processing Code and ordinance violations which are enforced pursuant to the procedures set forth in article III of chapter 103 of this Code and for those duties transferred as successor to the traffic violations bureau existing under chapter 29 of the Code.

SECTION 5. Article III of Chapter 202 of the Revised Code of the Consolidated City and County is hereby amended by deleting Sec. 202-206 as follows:

~~Sec. 202-206. Revenue enhancement division.~~

~~The office of city controller shall include a revenue enhancement division, the powers and duties of which shall include:~~

~~(1) Acting as the agent in collecting receivables of any nature for city departments or divisions or county offices. Any such department, division or office may, at its option, request the assistance of the revenue enhancement division in establishing collecting procedures and in pursuing any outstanding receivables;~~

~~(2) Establishing such collection procedures as may be in the best interest of the city and the county;~~

~~(3) Collecting from debtors owing receivables to any department, division or office of the city or county the costs of such collection activities, on behalf of the revenue enhancement division and such department, division or office, as allowed by law;~~

~~(4) Contracting with collection agencies and such other service providers as the controller deems appropriate to pursue the purposes of the division; and~~

~~(5) Exercising any other powers which may be granted by statute or ordinance or delegated by the mayor.~~

SECTION 6. Article IV of Chapter 271 of the Revised Code of the Consolidated City and County is hereby amended by deleting Article IV as follows:

~~ARTICLE IV. ORDINANCE VIOLATIONS BUREAU~~

~~Section 271-521: Ordinance violations bureau.~~

~~An ordinance violations bureau is established within the parking management division of the department of capital asset management for purposes authorized by chapter 3 of article 6 of title 33 of the Indiana Code (IC-33-6-3).~~

~~Section 271-522. Violations clerk; appointment.~~

~~The ordinance violations bureau shall be administered by the violations clerk. The violations clerk shall be appointed by and serve at the pleasure of the director of the department of capital asset management.~~

~~Section 271-523. Duties of violations clerk and ordinance violations bureau.~~

~~The violations clerk and ordinance violations bureau shall be responsible for processing Code and ordinance violations which are enforced pursuant to the procedures set forth in article III of chapter 103 of this Code and for those duties transferred as successor to the traffic violations bureau existing under chapter 29 of the Code.~~

SECTION 7. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 8. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting the ordinance. To this end the provisions of this ordinance are severable.

SECTION 9. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 339, 1995. Councillor Hinkle reported that the Capital Asset Management Committee heard Proposal No. 339, 1995 on July 5 and July 19, 1995. The proposal is an appropriation of \$758,401 to fund the Collections Division in the Office of Corporation Counsel financed by a transfer of funds from the Department of Capital Asset Management's Parking Meter Fund and from the Office of the Controller's Consolidated County Fund. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 8:40 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor O'Dell for adoption. Proposal No. 339, 1995, as amended, was adopted on the following roll call vote; viz:

19 YEAS: Borst, Brents, Dowden, Franklin, Giffin, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

6 NAYS: Beadling, Black, Coughenour, Curry, Gray, Jimison

0 NOT VOTING:

4 ABSENT: Boyd, Gilmer, Short, Williams

PROPOSAL NO. 339, 1995, as amended, was retitled FISCAL ORDINANCE NO. 74, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 74, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Five Hundred Fifteen and Ninety-eight Dollars (\$515,098) in the Consolidated County Fund for purposes of the Office of Corporation Counsel, Collection Division, and reducing certain other appropriations for that, Office of the Controller, Revenue Enhancement Division, in the Consolidated County Fund and for the Department of Capital Asset Management, Parking Operation Division in the Parking Meter Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (e), (h) and (m) of the City-County Annual Budget for 1995 be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Office of

Corporation Counsel, Collection Division, to finance the establishment of their new organization for 1995.

SECTION 2. The sum of Five Hundred Fifteen and Ninety-eight Dollars (\$515,098) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>OFFICE OF CORPORATION COUNSEL</u> <u>COLLECTION DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	142,322
2. Supplies	16,215
3. Other Services and Charges	349,956
4. Capital Outlay	<u>6,605</u>
TOTAL INCREASE	515,098

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u> <u>PARKING OPERATION DIVISION</u>	<u>PARKING METER FUND</u>
1. Personal Services	112,482
2. Supplies	11,233
3. Other Services and Charges	220,512
4. Capital Outlay	<u>2,000</u>
TOTAL	346,227

<u>OFFICE OF THE CONTROLLER</u> <u>REVENUE ENHANCEMENT DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	93,399
2. Supplies	4,982
3. Other Services and Charges	65,885
4. Capital Outlay	<u>4,605</u>
TOTAL	168,871
TOTAL REDUCTION	515,098

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 416, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 416, 1995 on July 31, 1995. The proposal, sponsored by Councillor Smith, is an appropriation of \$44,031 for the Franklin Township Assessor to pay relocation expenses financed from the County General Fund balances. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:41 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Smith for adoption. Proposal No. 416, 1995, was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West
1 NAY: Gray
0 NOT VOTING:
4 ABSENT: Boyd, Gilmer, Short, Williams

Proposal No. 416, 1995 was retitled FISCAL ORDINANCE NO. 75, 1995, and reads as follows:

August 1, 1995

CITY-COUNTY FISCAL ORDINANCE NO. 75, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Forty-four Thousand Thirty-one Dollars (\$44,031) in the County General Fund for purposes of the Franklin Township Assessor and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(o) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Franklin Township Assessor for expenses related to move outside City-County Building.

SECTION 2. The sum of Forty-four Thousand Thirty-one Dollars (\$44,031) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>FRANKLIN TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	2,000
3. Other Services and Charges	27,247
4. Capital Outlay	<u>14,784</u>
TOTAL INCREASE	44,031

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>44,031</u>
TOTAL REDUCTION	44,031

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 441, 1995. The proposal is an appropriation of \$15,530 for the County Sheriff to provide security at the Marion County Children's Guardian Home financed by a transfer of funds from the Children's Guardian Home's County General Fund. Councillor O'Dell asked for consent to postpone Proposal No. 441, 1995 until August 28, 1995. Consent was given.

PROPOSAL NO. 442, 1995. In Councillor Dowden's absence, Councillor McClamroch, as sponsor of the proposal, gave the Committee report. He stated that the Public Safety and Criminal Justice Committee heard Proposal No. 442, 1995 on July 26, 1995. The proposal amends the County budget to authorize direct payment of additional salaries for judges in amounts previously approved. Under a new state statute, the supplemental salary that a county pays a judge will be sent to the state who will then pay the judge. The state will not be ready to administer this procedure until 1996; therefore, the County will make direct payment to the judges for the remainder of 1995. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Curry said that he voted against this in Committee because SEA 619 does not provide for the County to make such direct payments.

Councillor Golc asked if this supplemental salary also includes the prosecutor. Robert G. Elrod, General Counsel, stated that the prosecutor will receive the same supplement as the judges.

Councillor West stated that there is a requirement in state law that the County will furnish the funds to the State and the State will make the payments. Mr. West asked how the County has handled this matter so that it is not violating state law by making these payments. William Lantz, III, Deputy County Auditor, stated that another Deputy County Auditor, John Montgomery, had several discussions with the State on this matter, and it was determined that the County make these payments directly to the judges until January 1, 1996. Councillor West asked if that determination is in writing. Mr. Lantz answered that he did not know if anything was put in writing.

Councillor Jimison suggested that the General Counsel meet with the appropriate parties and draft whatever document is needed to make certain that whatever transfer of funds is made will be made properly and legally, and that the Council move on this matter.

Councillor Rhodes moved the question.

Councillor Franklin offered a friendly amendment that the Council will approve Proposal No. 442, 1995 upon receiving a letter from the State Auditor's Office authorizing the County to make the supplemental payments. The President stated that was a good suggestion and asked the General Counsel to include it in the amendment. The President said that Proposal No. 442, 1995 will stay on the table until an amendment has been drafted by the General Counsel.

PROPOSAL NO. 444, 1995. In Councillor Dowden's absence, Councillor Borst gave the Committee report. He stated that the Public Safety and Criminal Justice Committee heard Proposal No. 444, 1995 on July 26, 1995. The proposal is an appropriation to reclassify fringes to salary for the Marion County Justice Agency in the amount of \$6,500 financed by a transfer of funds within the Drug Free Community Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:04 p.m. There being no one present to testify, Councillor Borst moved, seconded by Councillor Franklin for adoption. Proposal No. 444, 1995, was adopted on the following roll call vote; viz:

22 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Franklin, Giffin, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

0 NAYS:

3 NOT VOTING: Dowden, Golc, Gray

4 ABSENT: Boyd, Gilmer, Short, Williams

Proposal No. 444, 1995 was retitled FISCAL ORDINANCE NO. 76, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 76, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Six Thousand Five Hundred Dollars (\$6,500) in the Drug Free Community Fund for purposes of the Marion County Justice Agency and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

August 1, 1995

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(dd) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to fund expenses of the Drug Court.

SECTION 2. The sum of Six Thousand Five Hundred Dollars (\$6,500) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	<u>6,500</u>
TOTAL INCREASE	6,500

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>COUNTY AUDITOR</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services - fringes	<u>6,500</u>
TOTAL DECREASE	6,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 446, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 446, 1995 on July 27, 1995. The proposal establishes increased penalties for air pollution control violations. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Jones, for adoption. Proposal No. 446, 1995 was adopted on the following roll call vote; viz:

21 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Franklin, Giffin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Tilford, West

0 NAYS:

4 NOT VOTING: Dowden, Gray, Schneider, Smith

4 ABSENT: Boyd, Gilmer, Short, Williams

Proposal No. 446, 1995 was retitled GENERAL ORDINANCE NO. 114, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 114, 1995

A GENERAL ORDINANCE amending Chapter 4, Air Pollution Control, of the Code of Indianapolis and Marion County, Indiana.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY INDIANA:

SECTION 1. Article I, Section 4-11 is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 4-11. Definitions.

As used in this chapter and its regulations, the following terms shall have the meanings ascribed to them:

Actual emissions means the emissions which occurred over a specified period of time based upon emission monitoring, stack testing, emission factors, or other measures acceptable to the administrator.

Administrator means the assistant administrator of the air pollution control section of the environmental resources management division of the department of public works, Consolidated City of Indianapolis and Marion County or ~~other designee of the director of the department of public works~~ his/her authorized deputy, agent or representative.

Air contaminant means any solid, liquid or gaseous matter, or any combination thereof, that may be emitted into the ambient air in any manner which may cause or contribute to air pollution. Air contaminant shall include "regulated air pollutant" as defined in 40 CFR § 70.2.

Air contaminant emitter or *air contaminant source* means any vehicle, process facility or any other device that emits or is capable of emitting an air contaminant, whether privately or publicly owned or operated. Without limiting the generality of the foregoing, this term includes all types of business, commercial and industrial plants, works, shops and stores, heating and power plants and power stations, and buildings and other structures of all types, including single and multiple-family residences, apartments, houses, office buildings, public buildings, hotels, restaurants, schools, hospitals, churches, other institutional buildings, automobiles, trucks, tractors, buses, other motor vehicles, garages vending and service locations and stations, railroad locomotives, ships, boats and other waterborne craft, portable fuel-burning equipment, incinerators of all types, indoor and outdoor, refuse dumps and piles, and all stack and other chimney outlets from any of the foregoing.

Air pollution means the presence or threatened discharge, from whatever source, of solid, semisolid, liquid or gaseous matter or any combination thereof, in the ambient air in sufficient quantities and of such characteristics and duration which:

- (1) Injures or threatens to injure human, plant or animal life; or
- (2) Damages or threatens to damage property; or
- (3) Unreasonably interferes with the comfortable enjoyment of life and property.

Allowable emissions means the emissions rate as established in the applicable air pollution control permit issue by the division.

Ambient air means any outside air.

Asbestos abatement permit means the written authorization that allows a person to remove asbestos materials and conduct asbestos abatement projects.

Board means the Indianapolis Air Pollution Control Board.

Clean Air Act of 1990 means the Federal Clean Air Act (42 USC 7401 et seq.) as amended by the Clean Air Act Amendments of 1990 (P.L. 101-549).

Construction permit means the written authorization that allows a person to construct, reconstruct or modify an air contaminant emitter.

Division means the air pollution control section of the environmental resources management division of the department of public works, Consolidated City of Indianapolis and Marion County.

Effective date means the date on which an action takes effect. For permits issued pursuant to article V of this chapter, the effective date is fifteen (15) days after the administrator signs and issues the permit. For all other actions, the effective date is when the person subject to the action receives written notice of the action.

Emission credit permit means the written authorization that allows a person to claim credit for emissions not released to the ambient air.

Facility means any one (1) structure, piece of equipment, installation operation that emits or is capable of emitting an air contaminant. Single pieces of equipment or installations with multiple emission points shall be considered a facility for purposes of this chapter and its regulations.

Open burning or open fire means any burning of combustible matter where the products of combustion are emitted directly into the ambient air without passing through a stack or chimney.

Operating permit means the written authorization that allows a person to operate an air contaminant emitter.

Person means any individual, proprietorship, partnership, firm, company corporation, association, joint venture, trustee, estate, political or governmental unit or any other legal entity.

Potential emissions means emissions of any one (1) pollutant which would be emitted from a facility if that facility were operated without the use of pollutant control equipment unless such control equipment is (aside from air pollution control requirements) necessary for the facility to produce its normal product or is integral to the normal operation of the facility. Potential emissions shall be based on maximum rated capacity unless hours of operation are limited by enforceable permit conditions and shall be calculated according to federal emission guidelines in AP 42 -Compilation of Air Pollutant Emission Factors, or calculated based on stack test data or other data acceptable to the board.

Process means any action, operation or treatment that emits or is capable of emitting an air contaminant.

Regulation means the whole or any part of a board statement of general applicability that:

- (1) Has or is designed to have the effect of law; and
- (2) Implements, interprets or prescribes:
 - a. Law or policy; or
 - b. The organization, procedure or practice requirements of the board or division.

Source means one (1) or an aggregation of processes or facilities that are located on one (1) or more contiguous or adjacent properties and are owned or operated by the same person, or by persons under common control.

Title V operating permit means the operating permit required by Title V of the Clean Air Act of 1990.

SECTION 2. Article IV, Section 4-41 is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 4-41. Procedures.

Before a regulation, an amendment to a regulation or a repeal of a regulation becomes effective, the board and division shall comply with the following procedures:

- (1) The board shall preliminarily adopt the regulation, appoint a hearing officer or officers and schedule the matter for public hearing.
- (2) At least fifteen (15) days before the public hearing, the division shall publish a notice in a newspaper of general circulation printed and published in Marion County. The notice shall state the time and place of the hearing, the subject matter of the proposed regulation and that copies of the proposed regulation are available for public examination at the offices of the division and the office of the clerk of the city-county council.
- (3) On or before the publication date of the notice, the division shall place five (5) copies of the proposed regulation on file at the office of the clerk of the city-county council and shall keep five (5) copies on file at the division's office. The copies shall be available for public examination until the proposed regulation becomes effective. Any interested person may examine the proposed regulation during regular business hours. The clerk of the city-county council shall provide each member of the city-county council a copy of the proposed regulation.

- (4) Written comments may be submitted to the board prior to the public hearing. Any interested party may present comments at the public hearing. Unless the board or its hearing officer or officers determines for good cause to close the comment period at the conclusion of the public hearing, written comments may be submitted up to and including seven (7) days after the conclusion of the public hearing. At the hearing the board or its hearing officer or officers may further extend the period for submitting written comments. After the conclusion of the public comment period and before the board adopts the proposed regulation, the administrator shall submit to the board written response to the public comments. The board or its hearing officer or officers may continue the public hearing without publishing further notice.
- (5) Except as provided in paragraph (6) of this section, the board shall not vote on a proposed regulation until at least ten (10) days after the conclusion of the public comment period.
- (6) Upon concurrence of at least seven (7) members, the board may waive the ten-day requirement in paragraph (5) of this section.
- (7) The board shall vote on a regulation in accordance with section 4-26 of this chapter.
- (8) No later than (10) days after the board has adopted a regulation, the division shall publish a notice in a newspaper of general circulation printed and published in Marion County. The notice shall state that the board adopted a regulation, described the subject matter of the regulation, state that copies of the regulation are available for public examination at the office of the division and the clerk of the city-county council and that the regulation becomes effective on the sixty-first day after adoption unless rejected by the city-county council.
- (9) The division shall file five (5) copies of the adopted regulation with the clerk of the city-county council and keep five (5) copies on file at the division offices. The clerk of the city-county council shall provide a copy of the adopted regulation to each member of the city-county council.
- (10) The city-county council may reject, by ordinance or resolution, a regulation adopted by the board within sixty (60) days of adoption by the board. If a regulation is rejected, the regulations which were previously in effect before the rejected regulation was adopted shall remain in effect. If a regulation is not rejected, it shall be effective on the sixty-first day after adoption.
- (11) If the board amends or repeals an existing regulation, the procedures in paragraphs (1) through (10) of this section shall apply.
- (12) If the board makes substantive revisions to a proposed regulation after preliminary adoption and before final adoption, the board shall preliminarily adopt the revised proposal and follow the procedures in paragraphs ~~(a)~~ (1) through ~~(j)~~ (10).

SECTION 3. Article VI, Section 4-66 is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 4-66. Penalties.

(a) Any person found in violation of any provision of this chapter, any regulation adopted by the board or any permit issued by the division as a part of the division's program approved by or conducted pursuant to an agreement with the Indiana Department of Environmental Management may be fined an amount not to exceed ~~two ten thousand five hundred dollars (\$2,500)~~ (\$10,000) for each violation. Any person found in violation of any other provision of this chapter, any other regulation adopted by the board or any other permit issued by the division may be fined an amount not to exceed two thousand five hundred dollars (\$2,500) for each violation. Each day in violation shall be considered a separate violation.

(b) Notwithstanding section 1-8 of the Code of Indianapolis, and Marion County, Indiana or paragraph (a) of this section, the court may accept an agreement established under paragraph (b) of section 4-65 of this chapter without a finding that a violation occurred or an admission that a violation occurred if the person subject to the penalty agrees to pay the penalty pursuant to such an agreement.

(c) A court order, whether issued unilaterally by the court or pursuant to an agreement under paragraph (b) of section 4-65 of this chapter, may require the payment of stipulated penalties in the event the terms of such order are violated. The stipulated penalties shall not exceed ~~two thousand five hundred dollars (\$2,500)~~ the amounts as described in paragraph (a) of this section 4-66 for each violation. Each day in violation shall be considered a separate violation.

(d) Nothing in this section 4-66 or any other section of this chapter shall limit the division's referral of violations to other appropriate agencies for investigation of potential violations of state or federal law.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

Councillor Hinkle reported that the Capital Asset Management Committee heard Proposal Nos. 448-458, 460, and 461, 1995 on July 19, 1995. He asked for consent to vote on Proposal Nos. 448-458, 1995 together. Consent was given.

PROPOSAL NO. 448, 1995. The proposal, sponsored by Councillor Dowden, authorizes intersection controls in the East Avalon Hills area (District 4). PROPOSAL NO. 449, 1995. The proposal, sponsored by Councillor Gilmer, authorizes a stop sign for the Chestnut Hills subdivision (District 1). PROPOSAL NO. 450, 1995. The proposal, sponsored by Councillor Gilmer, authorizes multi-way stops for the Eagle Creek North subdivision (District 1). PROPOSAL NO. 451, 1995. The proposal, sponsored by Councillor Gilmer, authorizes multi-way stops at Arabian Run and Duffer Circle, and at Arabian Run and Kinnett Lane (Districts 2, 9). PROPOSAL NO. 452, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at 14th Street and Bosart Avenue (District 15). PROPOSAL NO. 453, 1995. The proposal, sponsored by Councillor Schneider, authorizes a multi-way stop at Kilmer Lane and Susan Drive South (District 3). PROPOSAL NO. 454, 1995. The proposal, sponsored by Councillor Black, authorizes a multi-way stop at 48th Street and Park Avenue (District 6). PROPOSAL NO. 455, 1995. The proposal, sponsored by Councillor Dowden, authorizes a multi-way stop at Rolling Ridge Road and Winding Way Lane (District 4). PROPOSAL NO. 456, 1995. The proposal, sponsored by Councillors Coughenour and Mullin, authorizes a multi-way stop at State Avenue and National Avenue (Districts 20, 24). PROPOSAL NO. 457, 1995. The proposal, sponsored by Councillor Williams, authorizes a multi-way stop at Alabama Street and St. Joseph Street (District 22). PROPOSAL NO. 458, 1995. The proposal, sponsored by Councillor SerVaas, authorizes a multi-way stop at Glen Coe Drive and 63rd Street (District 2). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Hinkle moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 448-458, 1995 were adopted on the following roll call vote; viz:

22 YEAS: *Beadling, Black, Borst, Brents, Coughenour, Curry, Franklin, Giffin, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West*

0 NAYS:

3 NOT VOTING: *Dowden, Golc, Gray*

4 ABSENT: *Boyd, Gilmer, Short, Williams*

Proposal No. 448, 1995 was retitled GENERAL ORDINANCE NO. 115, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 115, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
13, Pg. 1	Albion Dr, Hampstead Ln	Hampstead Ln	Stop
13, Pg. 1	Albion Dr, Sondridge Cir	Albion Dr	Stop
13, Pg. 4	Bruton Dr, Hampstead Ct, Hampstead Ln	Bruton Dr	Yield
13, Pg. 8	Highbury Ct, Highbury Dr	Highbury Dr	Yield

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 449, 1995 was retitled GENERAL ORDINANCE NO. 116, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 116, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
2, Pg. 2	Chestnut Hills Dr, Keeneland Ct	Chestnut Hills Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 450, 1995 was retitled GENERAL ORDINANCE NO. 117, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 117, 1995
Proposal No. 450, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

August 1, 1995

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 5	Pin Oak Way, Pin Oak Way NDR, 57th St	None	All Way Stop
9, Pg. 5	Pin Oak Way, Wisteria Dr, Prarieclover Ln	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 451, 1995 was retitled GENERAL ORDINANCE NO. 118, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 118, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 1	Arabian Run, Duffer Cir	Arabian Run	Stop
9, Pg. 1	Arabian Run, Kinnett Ln	Arabian Run	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 1	Arabian Run, Duffer Cir	None	All Way Stop
9, Pg. 1	Arabian Run, Kinnett Ln	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 452, 1995 was retitled GENERAL ORDINANCE NO. 119, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 119, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 6	Bosart Av, 14th St	Bosart Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 6	Bosart Av, 14th St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 453, 1995 was retitled GENERAL ORDINANCE NO. 120, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 120, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
5, Pg. 6	Kilmer Ln, Susan Dr S	Kilmer Ln	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
5, Pg. 6	Kilmer Ln, Susan Dr S	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 454, 1995 was retitled GENERAL ORDINANCE NO. 121, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 121, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 13	Park Av, 48th St	Park Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 13	Park Av, 48th St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 455, 1995 was retitled GENERAL ORDINANCE NO. 122, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 122, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 8	Rolling Ridge Rd, Winding Way Ln	Rolling Ridge Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 8	Rolling Ridge Rd, Winding Way Ln	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 456, 1995 was retitled GENERAL ORDINANCE NO. 123, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 123, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
39, Pg. 19	National Av, State Av	State Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
39, Pg. 19	National Av, State Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 457, 1995 was retitled GENERAL ORDINANCE NO. 124, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 124, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 2	Alabama St, St. Joseph St	Alabama St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended, by the addition of the following, to wit:

August 1, 1995

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 2	Alabama St, St. Joseph St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 458, 1995 was retitled GENERAL ORDINANCE NO. 125, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 125, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
10, Pg. 7	Glencoe Dr & 63rd St		None

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
10, Pg. 7	Glen Coe Dr & 63rd St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

[Clerk's Note: Councillor Dowden returned at this time.]

PROPOSAL NO. 468, 1995. Councillor Dowden announced that the attorneys for the petitioner and the remonstrators have reached an agreement on this matter. Councillor Dowden recommended that the Council accept this agreement and approve this rezoning.

Michael Quinn, attorney for the petitioner, stated that he and Frank Hogan, attorney for the remonstrators, with the assistance of Councillor Dowden, have reached an agreement. He said that the original petition approved by Department of Metropolitan Development ("DMD") authorized the construction of 421 homes on 304 acres. The petitioner has agreed to reduce that number to 375 homes. The Lux family has agreed not to petition to rezone a 40-acre section of this property for at least a period of ten years.

Mr. Hogan stated that one of the remonstrators' concerns has been the development and its impact on traffic in that area. He said that DCAM has indicated that projects have been scheduled for that area that will eliminate most of that traffic concern.

Councillor Dowden voiced his appreciation to all the participants in this matter, and he also commended Greg Henneke, Director, DCAM.

Councillor West asked if it is possible under the zoning laws to make commitments to build roads that do not meet the recommended standards. Maury Plambeck, Core Administrator, DMD, said that the petition requested a D-P zoning and private streets are part of that classification. DCAM provided written comments as to how the streets should be developed as to both the depth and the width. The width of these streets are 24 feet wide and DCAM accepted that width for this project.

Councillor Dowden asked if a motion could be made at this time to approve this rezoning. The President answered that a motion could be made at this time if it included a statement that the commitments by both parties would be memorialized in an official statement to be filed with the Clerk by 4 o'clock on August 4. Councillor Dowden said that his motion is exactly as the President has stated. Mr. Elrod asked that the deadline be extended to August 8. Councillor Dowden agreed to that extension.

The President reminded the Councillors that under Council rules the vote to sustain the Commission's approval to rezone this property will take 12 "yes" votes; to reject will take 18 "no" votes. The Commission's decision was approved and Proposal No. 468, 1995 was adopted by the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West
0 NAYS:
0 NOT VOTING:
4 ABSENT: Boyd, Gilmer, Short, Williams

Councillor Dowden asked Ruth Yacko, coordinator of the Lux Property Development Remonstrance Committee, to introduce members of the various neighborhood associations involved in this matter. Ms. Yacko introduced Thom Coleman and Gale Alexander, Sargent Hills Neighborhood Association; Sally Wilson and Pam Beckman, Foxchase Homeowner Association; Jerry Russell, Sargent Road Association; Ralle Murphy, Hamptons; Ken Pendleton, Masthead Property Owners Association; and Susie McQuiston, Lantern Hills Neighborhood Association. Ms. Yacko stated that there were ten neighborhood associations that worked on this matter over the last ten months.

Tom Lux thanked his family, friends, and members of the community for their support in the effort to develop this property in Lawrence Township.

The President stated that the Council is extremely pleased that the group of citizens have come together and reached an agreement.

Proposal No. 468, 1995 was retitled REZONING ORDINANCE NO. 115, 1995, and is identified as follows:

REZONING ORDINANCE NO. 115, 1995. 95-Z-42 (95-DP-2) LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 4.
9602-9902 FALL CREEK ROAD (approximate address), INDIANAPOLIS,

August 1, 1995

SCM REAL ESTATE DEVELOPMENT CO., by Thomas Michael Quinn, requests the rezoning of 304 acres, being in the D-S and D-1 Districts, to the D-P classification to provide for planned unit residential development, consisting of 421 detached single-family residential units (overall density of 1.38 units per acre) with approximately 70 acres designated as nature sanctuary.

Councillor West asked for consent to suspend the Council rules and hear Proposal No. 479, 1995 at this time. Consent was given.

PROPOSAL NO. 479, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 479, 1995 on July 25, 1995. The proposal amends Special Resolution No. 48, 1995 to correct the schedule of approved Community Development Block Grant programs. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Brents, for adoption. Proposal No. 479, 1995 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West*

0 NAYS:

0 NOT VOTING:

4 ABSENT: *Boyd, Gilmer, Short, Williams*

Proposal No. 479, 1995 was retitled SPECIAL RESOLUTION NO. 71, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 71, 1995

A SPECIAL RESOLUTION amending Special Resolution No. 48, 1995 concerning the amount, location and programmatic operation of certain projects to be funded from Community Development Grant Funds.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. A portion of the Community Development Committee's Recommendations for distribution of certain Community Development Block Grant Funds were submitted to and approved by the Council in Special Resolution No. 48, 1995 failed to reflect certain modifications recommended by the Council Committee, a copy of which changes is attached hereto and incorporated herein by reference as Exhibit A, and the amount, location and programmatic operation of the project set forth therein, are hereby approved.

SECTION 2. This approval shall constitute the approval required under Section 4.01 of the Budget Ordinance.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

EXHIBIT A
1995 COMMUNITY DEVELOPMENT BLOCK GRANT
COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATIONS

	S.R. No. 48, 1995	Per Com Minutes	Net Changes
1. <u>Riley Area Revitalization Program</u> (was increased from \$10,000)	\$10,000	\$30,000	\$20,000
* Assist with the acquisition and rehabilitation of 5 units			

2. <u>Martindale-Brightwood CDC</u> (was reduced from \$220,000)	\$220,000	\$150,000	\$70,000
* To assist with homeowner repair of 20 units			
3. <u>Consortium Group</u> (new project was to be added)	-0-	\$10,000	\$10,000
* To fund a development plan for the existing Raymond Shopping Center			
4. <u>Clean City Committee</u> (new project was to be added)	-0-	\$40,000	\$40,000
* Costs incurred in the administration of the Project 180's			

PROPOSAL NO. 442, 1995. Councillor McClamroch stated that a memo has been found in the Auditor's file from the State Board of Accounts and it reads as follows:

To: County Auditors
From: Donald L. Euratte, C.P.A., State Examiner
Date: June 29, 1995
Re: Public Law 279, Senate Enrolled Act 619 - Judges Salary

Under the new provisions of IC 33-13-12-7 and IC 36-2-5-14, the additional or supplemental salary that a county is paying should be paid to the state who then pays the judge. However, the procedures to administer this change are not finalized. Counties should pay the supplemental salary directly to the judge for the balance of 1995. This should allow you to continue with your current procedures. Further details will be forthcoming as procedures are finalized through State Court Administration, the Auditor of State's office, and this agency.

Several additional issues are also currently being evaluated, especially as related to benefits. Again as these issues are finalized, you will be notified.

Should you have any questions please contact Ms. Nancy Pennycuff or Mr. Bruce Hartman of this agency.

Councillor McClamroch said that he believes this should satisfy Councillor Jimison's concerns.

Proposal No. 442, 1995 was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Black, Borst, Brents, Coughenour, Curry, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West*

0 NAYS:

1 NOT VOTING: *Dowden*

4 ABSENT: *Boyd, Gilmer, Short, Williams*

Proposal No. 442, 1995 was retitled FISCAL ORDINANCE NO. 77, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 77, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring, and appropriating Sixty-nine Thousand Four Hundred Eighty-five Dollars (\$69,485) in the County General Fund for purposes of the County Auditor, Prosecuting Attorney, Circuit Court, Presiding Judge of the Municipal Court, Superior Courts, Criminal Divisions, Room One, Two, Three, Four, Five and Six, Juvenile Division/Detention Center, Civil Divisions, Room One, Two, Three, Four, Five, Six and Seven, and reducing certain other appropriations for those agencies.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b), (w), (bb), (cc), (dd), (ee), (ff), (gg), (hh), (ii), (jj), (kk), (mm), (nn), (oo), (pp), (qq), (rr), (ss), (tt) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of providing judicial salaries in accordance with Senate Bill 619.

August 1, 1995

SECTION 2. The sum of Sixty-nine Thousand Four Hundred Eighty-five Dollars (\$69,485) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services - fringes	21,679
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	2,500
<u>CIRCUIT COURT</u>	
1. Personal Services	2,500
<u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	
1. Personal Services	38,500
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM ONE</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM TWO</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM THREE</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FOUR</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	
1. Personal Services	64,591
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM ONE</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM TWO</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM THREE</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FOUR</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FIVE</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM SIX</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM SEVEN</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, PROBATE DIVISION</u>	
1. Personal Services	<u>2,500</u>
TOTAL INCREASE	164,770

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>PROSECUTING ATTORNEY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	2,641
<u>CIRCUIT COURT</u>	
3. Other Services and Charges	2,659
<u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	
3. Other Services and Charges	40,949
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM ONE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM TWO</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM THREE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FOUR</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	
3. Other Services and Charges	11,810
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM ONE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM TWO</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM THREE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FOUR</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FIVE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM SIX</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM SEVEN</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, PROBATE DIVISION</u>	
3. Other Services and Charges	2,659
Unappropriated and Unencumbered County General Fund	<u>69,485</u>
TOTAL DECREASE	164,770

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

August 1, 1995

PROPOSAL NO. 460, 1995. The proposal, sponsored by Councillors SerVaas and Rhodes, authorizes a one-way east bound on Westfield Boulevard from College Avenue to Guilford Avenue (Districts 2, 7). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor Rhodes, for adoption. Proposal No. 460, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Tilford, West

0 NAYS:

1 NOT VOTING: Smith

4 ABSENT: Boyd, Gilmer, Short, Williams

Proposal No. 460, 1995 was retitled GENERAL ORDINANCE NO. 126, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 126, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-166, One way streets and alleys designated.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-166, One way streets and alleys designated, be, and the same is hereby, amended by the addition of the following, to wit:

EASTBOUND

Westfield Boulevard, from College Avenue to Guilford Avenue

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 461, 1995. The proposal, sponsored by Councillors Gilmer and Gray, authorizes a 35 mph speed limit for 59th Street from Moller Road to Guion Road (Districts 1, 9). By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor Gray, for adoption. Proposal No. 461, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

0 NAYS:

1 NOT VOTING: Jones

4 ABSENT: Boyd, Gilmer, Short, Williams

Proposal No. 461, 1995 was retitled GENERAL ORDINANCE NO. 127, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 127, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the addition of the following, to wit:

35 MPH
39th Street, from Moller Road to Guion Road

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

OLD BUSINESS

Councillor Coughenour asked that Proposal Nos. 443 and 445, 1995 be heard at this time. Mr. Elrod stated that since these fiscal ordinances come under the 30-day rule, they have not been advertised and cannot be heard until August 28, 1995. Councillor Coughenour asked for a copy of that Council rule.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:36 p.m.

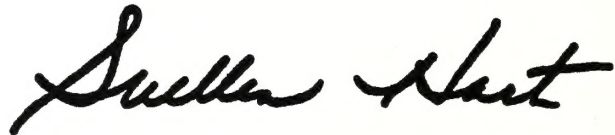
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 1st day of August, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, AUGUST 28, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m. on Monday, August 28, 1995, with Councillor SerVaas presiding.

Councillor McClamroch led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams
0 ABSENT:

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Jimison acknowledged the presence of State Representative William Crawford, State Representative Mae Dickinson, Center Township Trustee Julia Carson, distinguished clergy and many citizens concerned with the Metro Bus service issue. Ms. Jimison asked for consent to permit Rev. Wayne T. Harris to speak to the Council on this matter. Consent was given.

Rev. Harris stated that he represents the people who are trying to save the Metro Bus service. They are against the City's effort to break the union, cut bus routes, and privatize the bus routes. He said they want the residents of Indianapolis to have good bus transportation and they want to save Metro's bus drivers' jobs.

The President stated that the Municipal Corporations Committee will review Metro's budget and will send its recommendation to the Council. The Council will then discuss the Committee's report. The President stated that the public will be notified of the date of the Council meeting at which Metro's budget will be heard.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, August 28, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

August 2, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Friday, August 4, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 443, 445, 487, 488, and 505, 1995, and a NOTICE OF PUBLIC HEARING on Proposal No. 483, 1995, to be held on August 28, 1995 at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

August 7, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Thursday, August 10, 1995, a copy of LEGAL NOTICE on General Ordinance No. 114, 1995.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

August 4, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

August 28, 1995

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

GENERAL ORDINANCE NO. 113, 1995 - consolidates the Ordinance Violations Bureau and the Revenue Enhancement Division within the Office of Corporation Counsel

GENERAL ORDINANCE NO. 114, 1995 - establishes increased penalties for air pollution control violations

GENERAL ORDINANCE NO. 115, 1995 - authorizes intersection controls in the East Avalon Hills area (District 4)

GENERAL ORDINANCE NO. 116, 1995 - authorizes a stop sign for the Chestnut Hills subdivision (District 1)

GENERAL ORDINANCE NO. 117, 1995 - authorizes multi-way stops for the Eagle Creek North subdivision (District 1)

GENERAL ORDINANCE NO. 118, 1995 - authorizes multi-way stops at Arabian Run and Duffer Circle, and at Arabian Run and Kinnett Lane (Districts 2, 9)

GENERAL ORDINANCE NO. 119, 1995 - authorizes a multi-way stop at 14th Street and Bosart Avenue (District 15)

GENERAL ORDINANCE NO. 120, 1995 - authorizes a multi-way stop at Kilmer Lane and Susan Drive South (District 3)

GENERAL ORDINANCE NO. 121, 1995 - authorizes a multi-way stop at 48th Street and Park Avenue (District 6)

GENERAL ORDINANCE NO. 122, 1995 - authorizes a multi-way stop at Rolling Ridge Road and Winding Way Lane (District 4)

GENERAL ORDINANCE NO. 123, 1995 - authorizes a multi-way stop at State Avenue and National Avenue (Districts 20, 24)

GENERAL ORDINANCE NO. 124, 1995 - authorizes a multi-way stop at Alabama Street and St. Joseph Street (District 22)

GENERAL ORDINANCE NO. 125, 1995 - authorizes a multi-way stop at Glen Coe Drive and 63rd Street (District 2)

GENERAL ORDINANCE NO. 126, 1995 - authorizes a one-way east bound on Westfield Boulevard from College Avenue to Guilford Avenue (Districts 2, 7)

GENERAL ORDINANCE NO. 127, 1995 - authorizes a 35 mph speed limit for 59th Street from Moller Road to Guion Road (Districts 1, 9)

FISCAL ORDINANCE NO. 74, 1995 - an appropriation of \$515,098 to fund the Collections Division in the Office of Corporation Counsel financed by a transfer of funds from the Department of Capital Asset Management's Parking Meter Fund and from the Office of the Controller's Consolidated County Fund

FISCAL ORDINANCE NO. 75, 1995 - an appropriation of \$44,031 for the Franklin Township Assessor to pay relocation expenses financed from the County General Fund balances

FISCAL ORDINANCE NO. 76, 1995 - an appropriation to reclassify fringes to salary for the Marion County Justice Agency in the amount of \$6,500 financed by a transfer of funds within the Drug Free Community Fund

SPECIAL RESOLUTION NO. 68, 1995 - recognizes the 100th Anniversary of The Indianapolis Recorder

SPECIAL RESOLUTION NO. 69, 1995 - recognizes Mary A. "Dubbie" Buckler

SPECIAL RESOLUTION NO. 70, 1995 - requests the city administration to conduct a feasibility study about placing an edu-care center in the City-County Building

SPECIAL RESOLUTION NO. 71, 1995 - amends Special Resolution No. 48, 1995 to correct the schedule of approved Community Development Block Grant programs

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journals of August 1, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 554, 1995. The proposal, sponsored by Councillors Hinkle, Shambaugh and O'Dell, recognizes the 25 years of city service by Gary Isterling. Councillor Hinkle read the resolution and presented a copy of the document to Mr. Isterling who expressed appreciation for the recognition. Members of Mr. Isterling's family were present. Councillor Moriarty Adams also commended Mr. Isterling. Councillor Hinkle moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 554, 1995 was adopted by a unanimous voice vote.

Proposal No. 554, 1995 was retitled SPECIAL RESOLUTION NO. 72, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 72, 1995

A SPECIAL RESOLUTION recognizing the 25 years of city service by Gary Isterling.

WHEREAS, shortly after the turn of the century John Ellenberger, a prosperous farmer and Irvington-area pioneer originally from Cincinnati, sold forty acres of what was called Ellenberger Woods for a city park; and

WHEREAS, decades later, Ellenberger's great-great grandson, Gary Isterling, became facilities supervisor of the park on land that his ancestors once trod; and

WHEREAS, Mr. Isterling was hired by the Indianapolis Department of Parks and Recreation by Mayor Lugar in 1969, the year before UNIGOV came into being, to help build and maintain trails, playgrounds and boating ramps at Eagle Creek Park; and

WHEREAS, from 1973 to 1995, Isterling oversaw the facilities at Ellenberger and Perry Parks managing ice skating rinks, pool operations, roller skating and concessions; and

WHEREAS, during his Parks Department career the Ben Davis High School graduate received awards by Mayor Lugar and by *The Indianapolis Star*, implemented an amateur ice review of 125 skaters, began a Christmas food program that fed 575 families in 15 years and held "Skate-a-thons" for Danny Thomas and Jerry Lewis charities; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the quarter century of dedicated service to the people of this city and county by Gary Isterling.

SECTION 2. The Council wishes him well in the future as he is able to devote more time to his family and in managing his real estate investments.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 555, 1995. The proposal, sponsored by Councillor Short, recognizes the South East Community Organization ("SECO"). Councillor Short read the resolution and presented copies of the document to members of SECO. Deputy Chief of the South District James J. Meyer voiced his admiration and support for this group. Councillor Short moved, seconded by Councillor Jimison, for adoption. Proposal No. 555, 1995 was adopted by a unanimous voice vote.

Proposal No. 555, 1995 was retitled SPECIAL RESOLUTION NO. 73, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 73, 1995

A SPECIAL RESOLUTION recognizing the South East Community Organization and the Indianapolis Police Department.

WHEREAS, the South East Community Organization bounded by the Conrail Tracks, Pleasant Run Drive, State Street and Earhart Street has only one candle on its birthday cake, but has already rallied the neighbors with anti-illegal drug marches that have helped close eighteen drug houses; and

WHEREAS, averaging forty-five citizens in the marches, and with the full cooperation of the Indianapolis Police Department, the young neighborhood group has clearly caught the attention of the illegal drug predators as the honest law-abiding residents have resolved to take back their streets; and

WHEREAS, through this somewhat sensational process, a more quiet and mundane community improvement has also occurred: Neighbors have begun to know each other, crime watches and court watches have been established, clean-ups are occurring, youth athletic activities are taking place and block clubs have taken root--all contributing to an increased long term upbeat mood for the neighborhood; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the South East Community Organization and its officers, members and volunteers, and extends a special commendation to Indianapolis Police Department personnel who have worked with SECO's neighborhood efforts: Deputy Chief Joe Meyer, Detective Gary MacDonald, and police reserves Larry Coy, Greg Hranec and Phillip Malicoat.

SECTION 2. It is refreshing and encouraging that neighborhoods and local government are teaming up to rid the streets of illegal drugs and its attendant vices, and helping an area help itself to become a more civilized and friendly place in which to live, invest, raise children, retire, garden, talk with neighbors, take walks in the early evenings and enjoy peaceful lives.

SECTION 3. Most importantly, these folks have made a significant difference.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 556, 1995. The proposal, sponsored by Councillor SerVaas, urges the completion of I-69 from Indianapolis to Texas. Councillor SerVaas read the resolution. Councillor Williams stated that she wanted it clarified that no Indianapolis/Marion County communities will be decimated as a result of this extension. Councillor SerVaas replied that he has been assured by all parties that no communities will be effected. Councillor Gilmer voiced his support of this proposal and asked for consent for James Newland to make some remarks concerning this project. Consent was given.

Mr. Newland, Executive Director, I-69 Mid-Continent Highway Coalition, presented a background report on the extension of I-69.

Councillor Boyd stated that he will support this proposal if no neighborhoods will be disrupted by this project.

Councillor Gray remarked that he would like a map of this I-69 extension. Councillor SerVaas said that it is going from Indianapolis to Bloomington, down to Memphis, and then to Houston. I-69 also feeds in from Montreal and Toronto south to Fort Wayne. He said a detailed map has not been drawn at this time.

Councillor SerVaas moved, seconded by Councillor Gilmer, for adoption. Proposal No. 556, 1995 was adopted by a unanimous voice vote.

Proposal No. 556, 1995 was retitled SPECIAL RESOLUTION NO. 74, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 74, 1995

A SPECIAL RESOLUTION urging the completion of I-69 from Indianapolis to Texas.

WHEREAS, because of its unique geographic location and because the city has worked hard over the years to make it happen, Indianapolis lives up to its official motto: CROSSROADS OF AMERICA;" and

WHEREAS, from canals, railroads, interurbans, air, automobiles, trucks and interstates, Indianapolis citizens and businesses have been fortunate for the community's transportation foresight; and

WHEREAS, however today, with seven interstate highway spokes radiating to and from the city, one interstate leg is still missing, that being I-69 which really begins in Montreal and Toronto, Canada, swings through Michigan, Fort Wayne, and then dead ends at the Northeastern edge of Indianapolis; and

WHEREAS, but now in the 1990's, with NAFTA, GATT and increased exporting, it is time to finish I-69 beginning in Southwest Indianapolis to Bloomington, Evansville and on to Texas, thus finishing a direct connection route of Canada, the United States and Mexico through Indianapolis and Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council lends its support along with many other organizations for Congress to forthwith approve the completion of the quarter century-delayed I-69 leg from Indianapolis to Texas.

SECTION 2. Finishing I-69 would spur economic development, create jobs, reduce congestion, improve highway safety, help America's competitiveness and improve the standard of living throughout this region.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 557, 1995. The proposal, sponsored by Councillor Curry, urges full membership of the Republic of China (Taiwan) by the United Nations. Councillor Curry read the resolution and presented a copy of the document to Dr. Chou Lee, head of the sister-city Taipei committee in Indianapolis, who expressed appreciation for the resolution. Councillor Golc voiced his support of this proposal. Councillor Curry moved, seconded by Councillor Golc, for adoption.

Councillor Boyd asked what will happen with this resolution. Councillor Curry replied that copies of this resolution will be sent to the Taipei Economic and Cultural Office in Chicago, Taipei City Council, and Senator Richard Lugar. There have been similar resolutions adopted throughout the country, and they will be presented to the United Nations.

Proposal No. 557, 1995 was adopted by a unanimous voice vote. Proposal No. 557, 1995 was retitled SPECIAL RESOLUTION NO. 75, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 75, 1995

A SPECIAL RESOLUTION urging full membership of the Republic of China (Taiwan) by the United Nations.

WHEREAS, Taipei, the capital and largest city of the Republic of China (Taiwan), and Indianapolis enjoy an official Sister City relationship; and

WHEREAS, Taiwan has a strong and vibrant economy, a 90 per cent literacy rate, is a major player in international trade and has been a solid friend of the United States since the island republic was founded 49 years ago; and

WHEREAS, in 1971, the United Nations expelled Taiwan, and admitted the People's Republic of China (Communist China) in its place; and

WHEREAS, today, nearly a quarter century later, Taiwan has dramatically improved its record on human rights, routinely holds free elections, and actively participates in other international organizations such as the Asian Development Bank and the Asia-Pacific Economic Cooperation Group; and

WHEREAS, the United Nations has often admitted separate parts of divided countries such as North and South Korea and the former East and West Germany; and

WHEREAS, Taiwan's participation in the United Nations would not prevent nor imperil a future voluntary union between Taiwan and Mainland China, as witness the voluntary reunification of Germany; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council determines that the twenty-one million people of Taiwan should no longer be denied full membership in the United Nations.

SECTION 2. Taiwan has much that it could contribute to the United Nations, and the Council asks that the United States immediately use its influence to encourage the U.N. to act expeditiously upon this matter.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 558, 1995. The proposal, sponsored by Councillor Beadling, recognizes the 75th Anniversary of the Women's Suffrage Amendment. Councillor Beadling read the resolution and stated that it will be presented at a later date. Councillor Jimison voiced her support of this proposal and asked to be added as a co-sponsor. Councillor Beadling moved, seconded by Councillor Jimison, for adoption. Proposal No. 558, 1995 was adopted by a unanimous voice vote.

Proposal No. 558, 1995 was retitled SPECIAL RESOLUTION NO. 76, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 76, 1995

A SPECIAL RESOLUTION recognizing the 75th Anniversary of the Women's Suffrage Amendment.

WHEREAS, the 19th Amendment to the U.S. Constitution is very simple and straightforward: *The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex. Congress shall have power to enforce this Article by appropriate legislation.*; and

WHEREAS, the movement for women's right to vote preceded the Amendment for many decades by early suffragettes such as Susan B. Anthony, Elizabeth Cady Stanton and Lucretia Mott, but with the support of a Democrat President and a Republican Congress the resolution passed Washington in 1919 and was turned over to the states to work their will; and

WHEREAS, on August 26, 1920, the Tennessee Legislature adopted the Amendment giving it the three-fourths majority of states needed for ratification; and

WHEREAS, contrary to the predictions by many men -- and women, the 19th Amendment did not cause havoc with the Republic; instead twice as many citizens were granted the right to vote in elections, more people could take an active part in the election process and the available talent pool for addressing national and local problems was greatly enlarged; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council pauses to recognize the 75th Anniversary of the bipartisan 19th Amendment, and reflects upon the struggle by many people for many years to achieve this right.

SECTION 2. The Council encourages citizens to actively participate in the governmental process including voting, remembering that our ancestors struggled for a long time so that we can have these freedoms.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 440, 1995. The proposal, sponsored by Councillors McClamroch and SerVaas, appoints Dr. Philip Borst to the Capital Improvement Board of Managers. Councillor McClamroch moved for its adoption. Proposal No. 440, 1995 was adopted by a unanimous voice vote.

Proposal No. 440, 1995 was retitled COUNCIL RESOLUTION NO. 57, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 57, 1995

A COUNCIL RESOLUTION appointing Dr. Philip Borst to the Capital Improvement Board of Managers.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Capital Improvement Board of Managers, the Council appoints:

Dr. Philip Borst

SECTION 2. The appointment made by this resolution is for a term ending January 14, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 480, 1995. The proposal, sponsored by Councillor McClamroch, appoints Charles Hiltunen to the Cable Franchise Board. Councillor McClamroch moved for its adoption. Proposal No. 480, 1995 was adopted by a unanimous voice vote.

Proposal No. 480, 1995 was retitled COUNCIL RESOLUTION NO. 58, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 58, 1995

A COUNCIL RESOLUTION appointing Charles Hiltunen to the Cable Franchise Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Cable Franchise Board, the Council appoints:

Charles Hiltunen

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 515, 1995. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Resolution reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 516, 1995. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Resolution reviewing, modifying and approving the operating and maintenance budget and tax levies of the Capital Improvement Board of Managers of Marion County"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 517, 1995. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Resolution reviewing, modifying and approving the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 518, 1995. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Resolution reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 519, 1995. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Resolution reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Public Transportation Corporation"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 520, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which gives employees who are affected by the information technology outsourcing an additional opportunity to convert accrued sick leave to

benefit leave and receive pay for it upon separation"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 521, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$666,000 for Information Services Agency to pay for increased contractual services, maintenance, and telephone expenses financed by a transfer of funds within the Information Services Internal Service Fund; and a reduction in its 1995 budget of \$260,000 due to reasons associated with the Huron project"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 522, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$150,000 for the Department of Parks and Recreation to purchase additional land for the expansion of Juan Solomon Park financed by revenues from the Park Land Fund"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 523, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$783,500 for the Department of Parks and Recreation to cover repair and renovation expenses at numerous park facilities financed by revenues from the Consolidated County Cumulative Capital Development Fund"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 524, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Eli Bloom to the Indianapolis Greenways Development Board"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 526, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Jerry Papenmeir to the Indianapolis Greenways Development Board"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 527, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which distributes \$489,942 of Uniform Traffic Ticket revenue to the Prosecutor, Sheriff, Presiding Judge of the Municipal Courts, and the Auditor"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 528, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$15,812 for the County Sheriff to pay overtime to officers assigned to the FBI Task Force Program financed by a FBI grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 529, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$2,000 for the Superior Court, Criminal Division, Room One, to cover supplies and other court expenses financed by a transfer within the court's budget"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 530, 1995. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$1,500 for the Marion County Drug Court to cover supply expenses financed by a transfer within the court's budget"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 531, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance empowering the Board of Capital Asset Management to promulgate rules and regulations concerning the administration of public construction contracts"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 532, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the Department of Capital Asset Management to permit Ogden Martin Systems to establish a steam line within the public right-of-way on Harding Street from 1000 feet south of Raymond Street to Kentucky Avenue"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 533, 1995. Introduced by Councillors Coughenour and Smith. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at Shelbyville Road and Emerson Avenue (Districts 23, 24)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 534, 1995. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal for Lilly Technology Center West Driveway located at 1530 South at Harding Street (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 535, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at St. Clair Street and Dr. Martin Luther King Jr. Street"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 536, 1995. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Lyons Avenue and Ray Street (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 537, 1995. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Farnsworth Street and Lyons Avenue (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 538, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 20th Street and Riley Avenue (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 539, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at

Bosart Avenue and St. Clair Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 540, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Irvington Avenue and 18th Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 541, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Carrollton Avenue and 62nd Street (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 542, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Burlington Avenue and Maple Drive (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 543, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 58th Street and Crestview Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 544, 1995. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Villa Avenue and Woodlawn Avenue (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 545, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Senate Avenue and Wilkins Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 546, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Diana Drive and Echo Lane (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 547, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Legendary Hills subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 548, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Hunters Green subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 549, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Pheasant Run subdivision (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 550, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a one-way southbound on Chester Avenue from New York Street to Washington Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 551, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes weight limit restrictions for Lake Road from Wicker Road to a point 4,335 feet south of Southport Road (District 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 552, 1995. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes speed restrictions on Rockville Road from Interstate 465 to Holt Road (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 553, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which requires tobacco vendors to determine the age of any person to whom tobacco products are sold or delivered"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 559, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which confirms the Marion County Public Defender Board's nomination of David Cook as Marion County Chief Public Defender"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 560, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which affirms the policy of providing deferred compensation for county elected officials"; and the President referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 514, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 514, 1995 on August 17, 1995. The proposal authorizes the issuance of economic development water facilities revenue bonds in an aggregate principal amount not to exceed \$18 million for the Indianapolis Water Company. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Smith, for adoption.

Councillor Golc stated that several months ago when another Indianapolis Water Company project was heard by this Council, an area called the Bottoms was discussed. Councillor Golc asked if the Bottoms is included in this project.

Councillor West suggested that Councillor Giffin, who is a senior vice president of the Indianapolis Water Company, make some telephone calls in order to answer Councillor Golc's question and to leave Proposal No. 514, 1995 on the table and move to the next item on the agenda. By consent, the President called for the next item of business.

PROPOSAL NO. 561, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on August 18, 1995." The Council did not schedule Proposal No. 561, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 561, 1995 was retitled REZONING ORDINANCE NO. 116, 1995 and is identified as follows:

REZONING ORDINANCE NO. 116, 1995. 95-Z-45 (Amended) PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 1.
6950 NORTH MICHIGAN ROAD (approximate address), INDIANAPOLIS.
TOM and SALLY MCNAMARA request the rezoning of 2.08 acres, being in the D-A and C-3 District, to the C-S classification to provide for the continued use and expansion of an existing landscape, garden center and pet supply center.

PROPOSAL NO. 562, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on August 18, 1995." The Council did not schedule Proposal No. 562, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 562, 1995 was retitled REZONING ORDINANCE NO. 117, 1995 and is identified as follows:

REZONING ORDINANCE NO. 117, 1995. 95-Z-79 PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 9.
5891 WEST 56TH STREET (approximate address), INDIANAPOLIS.
CARPENTER CO., INC., BETTER HOMES AND GARDENS, by Raymond Good, requests the rezoning of 1.37 acres, being in the D-2 District, to the C-1 classification to provide for an office use.

PROPOSAL NO. 563, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on August 23, 1995." The Council did not schedule Proposal No. 563, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 563, 1995 was retitled REZONING ORDINANCE NO. 118, 1995 and is identified as follows:

REZONING ORDINANCE NO. 118, 1995. 95-Z-81 WARREN TOWNSHIP
COUNCILMANIC DISTRICT # 13.
8004 BROOKVILLE ROAD (approximate address), INDIANAPOLIS.
TIM F. W. HANSON, by Michael J. Kias, requests the rezoning of 2.27 acres, being in the I-4-S District, to the C-3 classification to provide for commercial use.

PROPOSAL NO. 564, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on August 18, 1995." The Council did not schedule Proposal No. 564, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 564, 1995 was retitled REZONING ORDINANCE NO. 119, 1995 and is identified as follows:

REZONING ORDINANCE NO. 119, 1995. 95-Z-103 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 14.
10304 EAST 38TH STREET (approximate address), INDIANAPOLIS.
ROCK OF FAITH BAPTIST CHURCH, by Raymond Good, requests the rezoning of 10 acres, being in the D-A(FF) District, to the SU-1(FF) classification to provide for church use.

PROPOSAL NO. 565-573, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on August 18, 1995." The Council did not schedule Proposal Nos. 565-573, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 565-573, 1995 were retitled REZONING ORDINANCE NOS. 120-128, 1995 and are identified as follows:

REZONING ORDINANCE NO. 120, 1995. 95-Z-94 (AMENDED) WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 10.

3045 NORTH ARLINGTON AVENUE (approximate address), INDIANAPOLIS.
TRUE BELIEF BAPTIST CHURCH & REV. GENE BAKER request the rezoning of 2.275 acre, being in the C-3 District, to the SU-2 classification to provide for construction of a building addition for an existing school.

REZONING ORDINANCE NO. 121, 1995. 95-Z-95 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 5.

11288 EAST 63RD STREET (approximate address), CITY OF LAWRENCE.
LAMAR A. and KAY E. ZIEGLER request the rezoning of 4.01 acres, being in the D-A District, to the D-2 classification to provide for construction of a single-family residence.

REZONING ORDINANCE NO. 122, 1995. 95-Z-101 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 14.

9003 EAST 46TH STREET (approximate address), CITY OF LAWRENCE.
INDIANA FULL GOSPEL CHURCH OF ROCK requests the rezoning of 6.67 acres, being in the D-4 District, to the SU-1 classification to provide for church use.

REZONING ORDINANCE NO. 123, 1995. 95-Z-102 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 24.

3939 EAST STOP 11 ROAD (approximate address), INDIANAPOLIS.
INDIANAPOLIS WATER COMPANY, by Robert S. Spear, requests the rezoning of 3.267 acres, being in the D-A District, to the SU-39 classification to provide for construction of a municipal water booster pumping station and storage tank.

REZONING ORDINANCE NO. 124, 1995. 95-Z-111 (AMENDED) WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 5.

3550 NORTH MITTHOEFER ROAD (Rear) (approximate address), INDIANAPOLIS.
EASTSIDE PROPERTIES, INC., by Thomas Michael Quinn, requests the rezoning of 8.98 acres, being in the D-4 District, to the I-2-S classification to provide for light industrial suburban development.

REZONING ORDINANCE NO. 125, 1995. 95-Z-112 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 24.

7801 MCFARLAND ROAD (approximate address), INDIANAPOLIS.
REV. DANIEL M. BUECHLEIN, O.S.B. ARCHBISHOP OF INDIANAPOLIS, by Michael J. Kias, requests the rezoning of 8.66 acres, being in the D-A District, to the D-3 classification to provide for a single-family residential development.

REZONING ORDINANCE NO. 126, 1995. 95-Z-114 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 4.

8277 CRAIG STREET (approximate address), INDIANAPOLIS.
EATON & LAUTH PROPERTIES, by Therese Fehribach Coffey, requests the rezoning of 4.5 acres, being in the C-2, C-4 and C-S Districts, to the C-S classification to provide for personal service establishments and all retail uses.

REZONING ORDINANCE NO. 127, 1995. 95-Z-115 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 17.

1532 WEST WASHINGTON STREET (approximate address), INDIANAPOLIS.
BOBBIE D. COFFEY d/a/a THE CAR WORKS, by Lee T. Tarvin, requests the rezoning of 0.41 acre, being in the I-4-U(RC) District, to the C-5(RC) classification to provide for the continued operation of an automobile repair facility.

REZONING ORDINANCE NO. 128, 1995. 95-Z-118 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 16.

955-985 INDIANA AVENUE (APPROXIMATE ADDRESS), INDIANAPOLIS.
DEPARTMENT OF PARKS & RECREATION requests the rezoning of 0.780 acre, being in the C-S District, to the PK-1 classification to provide for park use.

PROPOSAL NO. 574-582. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on August 23, 1995."

Councillor Dowden read the following motion:

Mr. President:

I move that Proposal Nos. 574 and 575, 1995 (Rezoning Petition Nos. 95-Z-54 and 95-Z-55) be scheduled for a hearing before this Council at its next regular meeting on September 11, 1995 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

Councillor Smith seconded the motion and it passed by consent. Proposal No. 574, 1995 is identified as follows:

95-Z-54 LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 4.
8377 EAST 96TH STREET (approximate address), INDIANAPOLIS.
BOEHRINGER MANNHEIM CORPORATION, by Thomas Michael Quinn, requests the rezoning of 36.82 acres, being in the I-2-S District, to the C-1 classification to provide for permitted C-1 uses.

Proposal No. 575, 1995 is identified as follows:

95-Z-55 LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 4.
9589 HAGUE ROAD (approximate address), INDIANAPOLIS.
BOEHRINGER MANNHEIM CORPORATION, by Thomas Michael Quinn, requests the rezoning of 49.60 acres, being in the C-6 & I-2-S Districts, to the C-4 classification to provide for retail and theater uses.

Councillor Williams said that several rezoning cases were heard by this Council this year, and suggested that the Council appoint new members to the Metropolitan Development Commission next year.

The Council did not schedule Proposal Nos. 576-582, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 576-582, 1995 were retitled REZONING ORDINANCE NOS. 129-135, 1995 and are identified as follows:

REZONING ORDINANCE NO. 129, 1995. 95-Z-74 (Amended) WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 18.
8330 CRAWFORDSVILLE ROAD (approximate address), INDIANAPOLIS.
ROY L. and NANCY A. LASITER, DENNIS E. COPENHAVER, PHILIP K. and JUDITH A. LONG, WILLIAM D. and DI ANN KASHMAN and MADELINE CAROL TOWELL, by Walter E. Wolf, Jr., request the rezoning of 1.75 acres, being in the D-A District, to the C-3 classification to provide for construction of a free-standing drug store retail building.

REZONING ORDINANCE NO. 130, 1995. 95-Z-75 (Amended) WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 18.
8350 CRAWFORDSVILLE ROAD (approximate address), INDIANAPOLIS.
ROY L. and NANCY A. LASITER, DENNIS E. COPENHAVER, PHILIP K. and JUDITH A. LONG, WILLIAM D. and DI ANN KASHMAN and MADELINE CAROL TOWELL, by Walter E. Wolf, Jr., request the rezoning of 3.375 acres, being in the D-A District, to the D-2 classification to provide for four existing single-family residences.

REZONING ORDINANCE NO. 131, 1995. 95-Z-106 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 13.

6715 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.
SANDLIAN INVESTMENTS COMPANY, by Thomas Michael Quinn, requests the rezoning of 3.995 acres, being in the D-5 District, to the C-S classification to provide for the development of mini-warehouses.

REZONING ORDINANCE NO. 132, 1995. 95-Z-120 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 15.

3816-3820 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.
DONALD J. and MARSHA J. THARP, by Peter D. Cleveland, request the rezoning of 0.966 acre, being in the D-5, C-S and C-5 Districts, to the C-4 classification to provide for the development of a retail drug store.

REZONING ORDINANCE NO. 133, 1995. 95-Z-123 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 16.

618 and 622 SOUTH MERIDIAN STREET (approximate address), INDIANAPOLIS.
JRC REAL ESTATE SERVICES, INC., by Joseph M. Scimia, requests the rezoning of 0.25 acre, being in the I-3-U District, to the CBD-2(RC) classification to provide for the construction of two single-family dwelling units and accessory garages/carriage houses.

REZONING ORDINANCE NO. 134, 1995. 95-Z-125 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT # 2.

1025 WEST 64TH STREET (approximate address), INDIANAPOLIS.
GTE MOBILNET OF INDIANAPOLIS L.P. requests the rezoning of 0.06 acre, being in the C-S District, to the C-S classification to provide for construction and operation of a cellular telephone facility.

REZONING ORDINANCE NO. 135, 1995. 95-Z-127 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 16.

620 SOUTH CAPITOL AVENUE a/k/a 243 WEST MERRILL STREET (approximate address), INDIANAPOLIS.
ABACUS DEVELOPMENT, L.L.C., by Stephen D. Mears, requests the rezoning of 3.70 acres, being in the I-3-U(RC) District, to the CBD-2(RC) classification to provide for the reuse of an existing building for commercial uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 441, 1995. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 441, 1995 on August 10, 1995. The proposal is an appropriation of \$15,530 for the County Sheriff to provide security at the Marion County Children's Guardian Home financed by a transfer of funds from the Children's Guardian Home's County General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:39 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Smith, for adoption. Proposal No. 441, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

2 NOT VOTING: *Jimison, Rhodes*

Proposal No. 441, 1995 was retitled FISCAL ORDINANCE NO. 78, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 78, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Fifteen Thousand Five Hundred Thirty Dollars (\$15,530) in the County General Fund for purposes of the County Sheriff and reducing certain other appropriations for the Marion County Children's Guardian Home in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(z) and (yy) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to provide security at the Marion County Children's Guardian Home.

SECTION 2. The sum of Fifteen Thousand Five Hundred Thirty Dollars (\$15,530) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	7,760
2. Supplies	5,000
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	2,770
TOTAL INCREASE	15,530

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY CHILDREN'S GUARDIAN HOME</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	15,530
TOTAL DECREASE	15,530

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 443, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 443, 1995 on July 26, 1995. The proposal is an appropriation of \$294,000 for the County Sheriff, Community Corrections, and the Marion County Justice Agency to continue various programs to divert misdemeanant populations from state penal facilities financed by revenues from the County Correction Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:42 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 443, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West
0 NAYS:
3 NOT VOTING: Beadling, Rhodes, Williams

Proposal No. 443, 1995 was retitled FISCAL ORDINANCE NO. 79, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 79, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Two Hundred Ninety-four Thousand Dollars (\$294,000) in the County Correction Fund for purposes of the County Auditor, County Sheriff, Community Corrections Agency and the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the County Corrections Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b), (z), (aa), and (dd) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of The County Auditor, County Sheriff, Community Corrections Agency and the Marion County Justice Agency to continue providing diversion programs for misdemeanor populations from the State of Indiana penal facilities.

SECTION 2. The sum of Two Hundred Ninety-four Thousand Dollars (\$294,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY CORRECTIONS FUND</u>
1. Personal Services - fringes	4,000
<u>COUNTY SHERIFF</u>	
3. Other Services and Charges	179,319
<u>COMMUNITY CORRECTION AGENCY</u>	
3. Other Services and Charges	94,681
<u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	16,000
TOTAL INCREASE	294,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY CORRECTIONS FUND</u>
Unappropriated and Unencumbered	
County Corrections Fund	294,000
TOTAL REDUCTION	294,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Borst asked for consent to vote on Proposal No. 514, 1995 at this time. Consent was given.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 514, 1995. The President asked Councillor Golc to re-state his concern. Councillor Golc stated the Bottoms is a residential area of 39 homes that suffers from contaminated well water. The residents are presently receiving bottled water from IDEM. He said that he thought that the Bottoms was going to be included in Proposal No. 514, 1995, but it is not. He said that he has been assured by Councillor Giffin that both of them will meet with James Morris, president, Indianapolis Water Company, to resolve this matter.

Councillor West voiced his concern that this matter has not been resolved and suggested that Proposal 514, 1995 be postponed until there is a solution to this problem.

Councillor Giffin said that there is a problem in operating within the rules set forth by the Indiana Utility Regulatory Commission. Water mains cannot be extended unless there is an investment made by the property owner. He said that he and Councillor Golc will meet with Mr. Morris tomorrow morning to try and reach a solution for this problem.

Councillor Coughenour suggested that Cum Funds could be used to lower the costs for Bottoms residents.

The President asked Councillor West if he would act as a friend of the Council to facilitate this matter with the water company. Councillor West answered in the affirmative.

Councillor Franklin moved to postpone Proposal No. 514, 1995 until Councillor West meets with the Indianapolis Water Company. Councillor Coughenour seconded the motion.

Councillor McClamroch voiced his opposition to Councillor Franklin's motion because there have been assurances by Councillor Giffin and Mr. Morris that this matter will receive proper treatment. Councillor Borst also voiced his opposition to the motion to postpone.

Councillor Franklin's motion failed by a voice vote.

Councillors Giffin and Short asked for consent to abstain due to conflicts of interest. Consent was given.

Proposal No. 514, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Smith, Tilford, West, Williams
2 NAYS: Brents, Franklin
3 NOT VOTING: Giffin, Rhodes, Short

Proposal No. 514, 1995 was retitled SPECIAL ORDINANCE NO. 10, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 10, 1995

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Water Facilities Revenue Bonds, Series 1995 (Indianapolis Water Company Project)" in an aggregate principal amount not to exceed \$18,000,000 and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Indianapolis Water Company (the "Company"), and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, has held a public hearing conducted pursuant to Indiana Code 36-7-12-24 and Section 147(f) of the Internal Revenue Code of 1986, as amended, and on August 16, 1995 adopted a Resolution, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by the Company which will be initially owned and operated by the Company complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively, the "Act") and that such

financing will be of benefit to the health and general welfare of the City of Indianapolis and its citizens. The acquisition, installation, equipping and/or renovation of the economic development facilities will take place in the following locations, all of which are located in Indianapolis, Indiana:

1. Fall Creek Station (4300 block of Allisonville Road);
2. South Well Field (Southport Road and Harding Street);
3. Southeast County Station (Stop 11 and Sherman Drive);
4. White River Station (950 West 16th Street);
5. Riverside Station (1201 Waterway Boulevard);
6. T.W. Moses Station (West 56th Street and Dandy Trail);
7. Edmondson Station (Edmondson Avenue and East Washington Street);
8. Arlington Station (3408 N. Arlington Avenue);
9. Central Control System (1220 Waterway Boulevard); and
10. Ford Road Plant (96th and Ford Road).

The project will also include equipment purchases, constant growth items and distribution system improvements at various locations within Marion County (the "Project").

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Indenture of Trust, Loan Agreement, Guaranty Agreement, Bond Purchase Agreement, Preliminary Official Statement and the form of the City of Indianapolis, Indiana Economic Development Water Facilities Revenue Bonds, Series 1995 (Indianapolis Water Company Project) (the "Bonds") (hereinafter referred to collectively as the "Financing Documents"), by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of its revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and general welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. Rule 15c2-12(b) (1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter bids for, purchases, offers or sells municipal securities, the participating underwriter shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Official Statement is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the City of Indianapolis familiar with the matters with respect to the City of Indianapolis set forth in the Preliminary Official Statement is hereby authorized to certify to the Underwriter (as defined in the Financing Documents) that the information in the Preliminary Official Statement with respect to the City of Indianapolis is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Official Statement.

SECTION 4. The City of Indianapolis shall issue its Bonds in an aggregate principal amount not to exceed \$18,000,000 for the purpose of procuring funds to loan to the Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company pursuant to the Loan Agreement in the principal amount equal to the aggregate principal amount of the Bonds issued, which Loan Agreement will be executed and delivered by the Company to evidence and secure said loan and as otherwise provided in the above-described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 5. The City Clerk and the City Controller are authorized and directed to sell such Bonds to the Underwriter designated in the Bond Purchase Agreement at a price not less than 100% of the aggregate principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest not to exceed 8%. The use of an Official Statement in substantially the same form as the Preliminary Official Statement approved herein is approved for use and distribution by the Underwriter and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed, on behalf of the City of Indianapolis. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in this Ordinance and the Financing Documents pursuant to Indiana Code 36-7-12-27(a) (1) through (a) (10).

SECTION 7. The provisions of this Ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder or holders of the Bonds and after the issuance of said Bonds this Ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This Ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 445, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 445, 1995 on July 27, 1995. The proposal is an appropriation of \$767,171 for the Department of Public Works, Environmental Resources Management Division, to meet the City's obligation to the Northside Landfill Superfund and to address USEPA's concerns at the City-owned Tibbs-Banta Landfill financed from Sanitation General Fund balances. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 9:06 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor West, for adoption. Proposal No. 445, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, Williams

1 NAYS: Beadling

4 NOT VOTING: Golc, Jones, Rhodes, West

Councillor Beadling stated that her "no" vote is a protest vote.

Proposal No. 445, 1995 was retitled FISCAL ORDINANCE NO. 80, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 80, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Seven Hundred Eighty-five Thousand Two Hundred and Seventy-one Dollars (\$785,271) in the Sanitation General Fund for purposes of the Department of Public Works, Environmental Resources and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (l) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Department of Public Works, Environmental Resources appropriating the General Sanitation Fund for the remediation of the Northside Landfill Superfund Site, technical and legal expertise in addressing concerns and issues for the Tibbs-Banta Landfill.

SECTION 2. The sum of Seven Hundred Eighty-five Thousand Two Hundred Seventy-one Dollars \$785,271 be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>SANITATION GENERAL FUND</u>
<u>ENVIRONMENTAL RESOURCES</u>	
3. Other Services and Charges	<u>785,271</u>
TOTAL INCREASE	785,271

SECTION 4: The said additional appropriation is funded by the following reductions:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>SANITATION GENERAL FUND</u>
<u>ENVIRONMENTAL RESOURCES</u>	
Unappropriated and Unencumbered	
Sanitation General Fund	<u>785,271</u>
TOTAL REDUCTION	785,271

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 483, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 483, 1995 on August 17, 1995. The proposal approves the issuance of \$13 million of Notes for the purpose of paying the costs of certain infrastructure improvements in the Decatur Township portion of the Airport Industrial Economic Development Area. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:12 p.m. There being no one present to testify, Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal No. 483, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Short, Tilford, Williams

0 NAYS:

5 NOT VOTING: Black, Golc, Rhodes, Smith, West

Proposal No. 483, 1995 was retitled SPECIAL RESOLUTION NO. 53, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 53, 1995

A SPECIAL RESOLUTION approving the issuance of \$13,000,000 in aggregate principal amount of notes, in one or more series (the "Notes") by the City of Indianapolis (the "City") for the purpose of paying the costs of the acquisition, construction, reconstruction and relocation of certain streets, water and sewer lines, drainage improvements and other infrastructure (collectively, the "Project") in the Decatur Township portion of the Airport Industrial Economic Development Area, as designated by the Metropolitan Development Commission of Marion County (the "Commission") in Resolution No. 90-281, adopted December 5, 1990, and as expanded by Resolution No. 91-220, adopted by the Commission on November 6, 1991 (the Decatur Township portion of the Airport Industrial Economic Development Area, as expanded, the "Area").

WHEREAS, the City, by and through its Department of Capital Asset Management, has, pursuant to a resolution adopted by the Board of Capital Asset Management on August 9, 1995, recommended that the Project be undertaken and the Notes be issued to finance the costs of the Project; and

WHEREAS, a public hearing concerning the appropriation of the proceeds of the Notes to the Project was held on August 28, 1995; and

WHEREAS, the City now desires to issue one or more series of Notes and, pursuant to one or more purchase agreements (the "Purchase Agreement") between the City and The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank"), sell the Notes to the Bond Bank and appropriate the proceeds of the Notes to the costs of the Project;

WHEREAS, the City reasonably expects to reimburse expenditures for the Project with the proceeds of the Notes; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the issuance of Thirteen Million Dollars (\$13,000,000) in aggregate principal amount of Notes, in one or more series, as determined by the Mayor and the Controller, and in substantially the form attached hereto as Exhibit A, with such changes as are approved by the Mayor and the Controller, is hereby approved, and the Mayor and the Controller are hereby authorized to execute and attest, respectively, the Notes. Each Note shall have an initial maturity not exceeding two (2) years. Pursuant to IC 5-1.4-8-6, the Mayor and the Controller are hereby authorized to extend the maturity of each Note for an additional three (3) years.

SECTION 2. That the Purchase Agreement, in the form attached hereto as Exhibit B and with such changes as are approved by the Mayor and the Controller, is hereby approved, and the Mayor and the Controller are hereby authorized to execute and attest, respectively, a Purchase Agreement in connection with the issuance and sale of each series of Notes.

SECTION 3. The Mayor, Controller and any other officers of the City are hereby authorized and directed to take any action they deem necessary or appropriate to effectuate the issuance of the Notes, including, but not limited to, execution of any and all necessary appropriate documents.

SECTION 4. The proceeds derived from the issuance of the Notes, together with any and all investment earnings thereon, shall be, and they hereby are, appropriated and may be expended for the purpose of paying the costs of the Project. Such appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until expenditure of all such appropriated funds on costs of the Project. Any surplus of such proceeds shall be used to prepay the Notes. The Clerk is hereby authorized and directed to certify a copy of this Special Resolution, together with such other proceedings and actions as may be necessary to the Controller for purposes of reporting to the State Board of Tax Commissioners in compliance with IC 6-1.1-18-5.

SECTION 5. To the extent provided in the Purchase Agreement, the revenues of the City collected pursuant to IC 6-3.5-4 (the "County Motor Vehicle Excise Surtax Act"), IC 6-3.5-5 (the "County Wheel Tax Act"), General Ordinance No. 112, 1992 passed by the City-County Council on October 26, 1992 and signed by the Mayor on November 2, 1992 (the "Surtax and Wheel Tax Ordinance") (collectively, the revenues of the City collected pursuant to the County Motor Vehicle Excise Surtax Act, the County Wheel Tax Act and the Surtax and Wheel Tax Ordinance, the "Wheel Tax Revenues"), together with ninety percent (90%) of the funds allocated to the City by the State of Indiana from the Motor Vehicle Highway Account pursuant to IC 8-14-1 and the Local Road and Street Account pursuant to IC 8-14-2 (collectively, the "State Distributions"), (together, the Wheel Tax Revenues and the State Distributions, the "Motor Vehicle Revenues") are hereby pledged to the payment of principal of and interest on the Notes, subject only to the prior use of the Motor Vehicle Revenues to the payment of principal of, redemption premium, if any, and interest on the City of Indianapolis Transportation Revenue Bond, Series 1992, dated December 1, 1992 (the "1992 Bond"). The City reserves the right to pledge the Motor Vehicle Revenues to other obligations ranking on a parity with the Notes, provided that the Motor Vehicle Revenues in the fiscal year immediately preceding the issuance of such other parity obligations shall not be less than one hundred twenty-five percent (125%) of the remaining maximum annual payment obligation on the 1992 Bond and any obligations issued on a parity therewith, and the Note and any obligations proposed to be issued on parity therewith.

SECTION 6. The City hereby declares its intent to reimburse expenditures for the Project with the proceeds of the Notes.

SECTION 7. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Exhibit A

CITY OF INDIANAPOLIS LIMITED RECOURSE NOTE, SERIES 1995A

Registered

Maturity Date:

Owner:

The Indianapolis Local
Public Improvement Bond Bank

Principal Sum: \$

FOR VALUE RECEIVED, the City of Indianapolis (the "Issuer"), a consolidated city of the first class with home rule powers located in Marion County, Indiana, hereby promises to pay, solely from the sources and as hereunder provided, to The Indianapolis Local Public Improvement Bond Bank, as Registered Owner (the "Registered Owner") or its duly registered assignee, upon presentation of this Note (the "Note") on the Maturity Date, unless earlier prepaid, the Principal Sum of _____ Dollars (\$ _____) and to pay interest at the rate of _____ percent (____%) from the delivery date hereof. All payments of principal and interest on this Note shall be made to the Registered Owner in such coin or currency of the United States of America as at the time of payment is legal tender for the payment of public and private debts by check, draft or wire transfer.

Interest shall be calculated on the basis of a thirty (30) day month and a year consisting of 360 days on such advances and shall be payable on January 1 and July 1 each year commencing _____.

This Note has been issued to provide funds to the Issuer for the purpose of paying the cost of acquisition, construction, reconstruction and relocation of certain streets, water and sewer lines, drainage improvements and other infrastructure (collectively, the "Project") in the Decatur Township portion of the Airport Industrial Economic Development Area, as designated by the Metropolitan Development Commission of Marion County (the "Commission") in Resolution No. 90-281, adopted December 5, 1990, and as expanded by Resolution No. 91-220, adopted by the Commission on November 6, 1991 (the Airport Industrial Economic Development Area, as expanded, the "Area"). This Note is issued pursuant to and in full compliance with the constitution and laws of the State of Indiana, including particularly I.C. 5-1.4-8-6.

The principal of and interest on this note constitute a limited obligation of the Issuer, payable solely from the revenues of the Issuer collected pursuant to IC 6-3.5-4 (the "County Motor Vehicle Excise Surtax Act"), IC 6-3.5-5 (the "County Wheel Tax Act"), General Ordinance No. 112, 1992 passed by the City-County Council on October 26, 1992 and signed by the Mayor on November 2, 1992 (the "Surtax and Wheel Tax Ordinance") (collectively, the revenues of the Issuer collected pursuant to the County Motor Vehicle Excise Surtax Act, the County Wheel Tax Act and the Surtax and Wheel Tax Ordinance, the "Wheel Tax

Revenues"), together with ninety percent (90%) of the funds allocated to the Issuer by the State of Indiana from the Motor Vehicle Highway Account pursuant to IC 8-14-1 and the Local Road and Street Account pursuant to IC 8-14-2 (collectively, the "State Distributions") (together, the Wheel Tax Revenues and the State Distributions, the "Motor Vehicle Revenues"), subject only to the prior use of the Motor Vehicle Revenues to the payment of the principal of, redemption premium, if any, and interest on the City of Indianapolis Transportation Revenue Bond, Series 1992, dated December 1, 1992. THE ISSUER HAS NOT PLEDGED ITS FULL FAITH AND CREDIT OR TAXING POWER TO THE PAYMENT OF THE NOTE, AND THE NOTE SHALL NOT CONSTITUTE A GENERAL OBLIGATION OR INDEBTEDNESS OF THE ISSUER WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISION.

This Note is not prepayable at any time prior to maturity.

It is hereby certified, recited and declared that all acts, conditions and things required by the constitution or statutes of the State of Indiana to exist, to have happened or to have been performed precedent to or in the execution, issuance, sale and delivery of this Note exist, have happened and have been performed, and that the issuance of this Note, together with all other indebtedness of the Issuer, is within every debt and other limit prescribed by said constitution or statutes.

No recourse shall be had for the payment of the principal of or interest on this Note against any official, officers or employees of the Issuer past, present or future, under any constitutional provision, statute, rule of law, or by the enforcement of any assessment or by any legal or equitable proceedings or otherwise.

IN WITNESS WHEREOF, the City of Indianapolis, Indiana has caused this Note to be executed by the signature of its Mayor and attested to by the signature of its Controller, its corporate seal to be affixed, imprinted or reproduced hereon, and this Note to be dated and delivered this ____ day of _____, 19____.

CITY OF INDIANAPOLIS

(SEAL)

By: _____
Stephen Goldsmith, Mayor

ATTEST:

James H. Steele, Jr., Controller

The Indianapolis Local Public Improvement Bond Bank, as Registered Owner of the above Note, and the City of Indianapolis, Indiana, as Issuer of the Note, hereby agree and consent to an extension of the Maturity Date of the Note from _____ 1, 19____ to _____ 1, 2____, this ____ day of _____, 19____.

CITY OF INDIANAPOLIS

[SEAL]

By: _____
Stephen Goldsmith, Mayor

ATTEST:

James H. Steele, Jr., Controller

THE INDIANAPOLIS LOCAL PUBLIC
IMPROVEMENT BOND BANK

[SEAL]

By: _____
Glenn Scolnik, Chairman

ATTEST:

James C. Snyder, Executive Director

Exhibit B

PURCHASE AGREEMENT

THIS PURCHASE AGREEMENT, dated the ____ day of _____, 19____ ("Purchase Agreement"), between The Indianapolis Local Public Improvement Bond Bank, a body corporate and politic ("Bond

Bank"), created pursuant to the provisions of Indiana Code 5-1.4 ("Act"), having its principal place of business in the City of Indianapolis ("Qualified Entity"),

WITNESSETH:

WHEREAS, the Bond Bank has adopted a resolution authorizing the issuance of \$_____ in aggregate principal amount of notes in one or more series, each designated "The Indianapolis Local Public Improvement Bond Bank, Series _____ Note," with the series designation to be completed at the time of issuance (the "Bond Bank Notes"); and

WHEREAS, pursuant to the Act and a resolution adopted by the Bond Bank, the Bond Bank is authorized to purchase securities (as defined in the Act) ("Securities") issued by qualified entities (as defined in the Act); and

WHEREAS, the Qualified Entity has by a resolution adopted _____, 1995 (the "Resolution") duly authorized the issuance of \$_____ in aggregate principal amount of notes, in one or more series, each note designated "City of Indianapolis Limited Recourse Note, Series _____," with the series designation to be completed at the time of issuance in the principal amount of \$_____ (the "Qualified Obligations"), and the Qualified Obligations are Securities to be purchased by the Bond Bank from proceeds of the Notes in accordance with this Purchase Agreement; and

WHEREAS, the Qualified Entity has adopted a resolution (the "Resolution") authorizing the issuance of the Qualified Obligations;

NOW, THEREFORE, the Bond Bank and the Qualified Entity agree:

1. The Bond Bank hereby agrees to purchase the Qualified Obligations, and the Qualified Entity hereby agrees to sell to the Bond Bank the Qualified Obligations concurrently with the issuance by the Bond Bank of its Notes. The price paid by the Bond Bank, the maturity date, interest rates and redemption provisions shall be determined for each Qualified Obligation at the time of issuance through negotiation between the Executive Director of the Bond Bank and the Mayor and Controller of the Qualified Entity. The Bond Bank and the Qualified Entity hereby agree that the Qualified Obligations are limited obligations of the Qualified Entity payable solely from a pledge of Motor Vehicle Revenues (as defined in the Resolution).

2. The Qualified Entity has taken all proceedings required by law to enable it to issue its Qualified Obligations to be purchased by the Bond Bank.

3. Subject to Section 8, the Qualified Entity agrees to pay the Bond Bank, on each interest payment date for the Qualified Obligations, reasonable fees and charges attributable to the administration of the Qualified Obligations acquired by the Bond Bank.

4. Simultaneously with the delivery to the Bond Bank of each of the Qualified Obligations, which Qualified Obligations shall be substantially in the form set forth in the Resolution and registered in the name of the Bond Bank, the Qualified Entity shall furnish to the Bond Bank a transcript of proceedings and the opinions of Barnes & Thornburg, bond counsel, as to, among other things, the validity of the Qualified Obligations and the excludability from gross income for federal tax purposes of interest on the Qualified Obligations under Section 103 of the Internal Revenue Code of 1986, as amended, and as in effect on such date ("Code").

5. The Qualified Entity and the Bond Bank agree that the Qualified Obligations and the payments to be made thereon may be pledged or assigned by the Bond Bank for the purposes of assuring repayment on the Bond Bank Notes.

6. The Qualified Entity agrees to furnish to the Bond Bank, as long as any of the Qualified Obligations remain outstanding, annual financial reports, audit reports and such other financial information as is reasonably requested by the Bond Bank.

7. The Qualified Entity covenants and agrees to comply with the rebate requirement of Section 148(f) of the Code. The Qualified Entity will keep records of the investments made and the earnings on those investments and report this information to the Bond Bank annually so that the Bond Bank may make the rebate or penalty calculation. The Bond Bank will assess the Qualified Entity annually for its share of the arbitrage profits or penalty owed to the United States of America as a fee and will use these fees and the

fees collected from any other qualified entities whose qualified obligations were purchased to pay the rebate amount owed. If the Bond Bank accumulates an amount in excess of what is required to be rebated or paid as a penalty to the United States of America, the Bond Bank shall reimburse the Qualified Entity for its allocable portion of such excess. The Qualified Entity further covenants and agrees to comply with any Memorandum on Compliance delivered to the Qualified Entity on the date of issuance of each Qualified Obligation.

8. If any provision of this Purchase Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this Purchase Agreement, and this Purchase Agreement shall be construed and be in force as if such invalid or unenforceable provision had not been contained herein.

9. This Purchase Agreement may be executed in one or more counterparts, any of which shall be regarded for all purposes as an original and all of which constitute but one and the same instrument. The Bond Bank and the Qualified Entity each agree that they will execute any and all documents or other instruments, and take such other actions as may be necessary to give effect to the terms of this Purchase Agreement.

10. No waiver by either the Bond Bank or the Qualified Entity of any term or condition of this Purchase Agreement shall be deemed or construed as a waiver of any other terms or conditions, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach, whether of the same or of a different section, subsection, paragraph, clause, phrase or other provision of this Purchase Agreement.

11. This Purchase Agreement merges and supersedes all prior negotiations, representations and agreements between the Bond Bank and the Qualified Entity relating to the subject matter hereof and constitutes the entire agreement between the Bond Bank and the Qualified Entity in respect hereof.

IN WITNESS WHEREOF, we have hereunto set our hands as of the day and year first above-written.

THE INDIANAPOLIS LOCAL PUBLIC
IMPROVEMENT BOND BANK

By: _____
Glenn Scolnik, Chairman

(SEAL)
Attest:

James C. Snyder, Executive Director

CITY OF INDIANAPOLIS

By: _____
Stephen Goldsmith, Mayor

(SEAL)
Attest:

James H. Steele, Jr., Controller

ACCEPTED AND APPROVED this ____ day of _____, 19____

DEPARTMENT OF CAPITAL ASSET MANAGEMENT
By: _____
Greg Henneke, Director

PROPOSAL NO. 487, 1995. The proposal is an appropriation of \$7,754 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a federal grant. PROPOSAL 488, 1995. The proposal is an appropriation of \$89,957 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a Family and Social Services Administration grant. Councillor Dowden asked for consent to postpone Proposal Nos. 487 and 488, 1995 until September 11, 1995. Consent was given.

PROPOSAL NO. 505, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 505, 1995 on August 2, 1995. The proposal is an

appropriation of \$770,000 for the County Sheriff to proceed with the jail expansion in the east wing of the City-County Building financed from the County General Fund balances. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:19 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 505, 1995 was adopted on the following roll call vote; viz:

22 YEAS: *Beadling, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West*
5 NAYS: *Black, Boyd, Gray, Jones, Williams*
2 NOT VOTING: *Giffin, Rhodes*

Proposal No. 505, 1995 was retitled FISCAL ORDINANCE NO. 81, 1995 and reads as follows:
CITY-COUNTY FISCAL ORDINANCE NO. 81, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Seven Hundred Seventy Thousand Dollars (\$770,000) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(z) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to proceed with the jail expansion in the east wing of the City-County Building.

SECTION 2. The sum of Seven Hundred Seventy Thousand Dollars (\$770,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>770,000</u>
TOTAL INCREASE	770,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>770,000</u>
TOTAL REDUCTION	770,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 414, 1995. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 414, 1995 on August 8, 1995. The proposal recodifies the cable television regulations. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Curry said there are four additional amendments to this proposal, which have been included in the Councillors' packets.

- 1 Technical amendments to Secs. 851-241, 851-242, 851-243, 851-244, 851-401, 851-403, and 851-603.
- 2 Deletes the last sentence in Sec. 851-406(a).
- 3 Deletes Sec. 851-707 and renumbers 851-708 through 851-713.
- 4 Adds a new Sec. 851-602(c) and reletters 851-602(d) through (e).

Councillor Curry moved, seconded by Councillor Gilmer, that the four amendments in the Councillors' packets be adopted. This motion passed by a unanimous voice vote.

Councillor Curry moved, seconded by Councillor Gilmer, for adoption. Proposal No. 414, 1995, as amended, was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

1 NOT VOTING: *Brents*

Proposal No. 414, 1995, as amended, was retitled GENERAL ORDINANCE NO. 128, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 128, 1995

A GENERAL ORDINANCE recodifying and amending Chapter 8½ of the Code as a new Chapter concerning cable television.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby amended to add a NEW Chapter 851 (which is a revision and recodification of Chapter 8½ of the Code of Indianapolis and Marion County that deletes the stricken-through text and inserts the underlined text) to read as follows:

CHAPTER 851 CABLE TELEVISION
ARTICLE I. IN GENERAL

Sec. ~~8½-1~~ 851-101. Statutory authority; findings.

(a) The council determines that ~~it is proper and expedient to~~ the public interests will best be served by franchiseing cable television systems programming delivery systems to the extent authorized by law.

(b) The council hereby finds that it is in the interest of the City that the public ways be used to make cable television programming available to the people of the City. It is intended that the provisions of this chapter should facilitate and encourage orderly and responsible development of a systems which will provide the people of the City with cable television programming services which are versatile, reliable and efficient, which are responsive to the needs and interests of the community; and which provide the widest possible diversity of information sources and services to the public. The provisions of this chapter shall be construed liberally to further these purposes and to promote competition in the provision of such services.

Sec. ~~8½-1~~ 851-102. Definitions.

As used in this chapter:

(a1) The term *act* means the Cable Communications Policy Act of 1984, as amended by the Cable Television Consumer Protection and Competition Act of 1992, an amendment to the

Communications Act of 1934 (47 U.S.C. section 521 et seq.); as the same may be amended or supplemented from time to time;

- (b2) The term *affiliate*, when used in relation to any person or entity, means another person or entity who owns or controls, is owned or controlled by, or is under common ownership or control with, such person or entity;
- (e3) The term *board* means the cable franchise board of the City, created by Sec. 285-111 of the Revised Code of the Consolidated City and County;
- (d4) The term *cable channel* or *channel* means a portion of the electromagnetic frequency spectrum which is used in a cable system and which is capable of delivering a television channel (as television channel is defined by the Federal Communications Commission by regulation);
- (e5) The term *cable service* means the one-way transmission to subscribers of (i) video programming, or (ii) other programming service, and subscriber interaction, if any, which is required for the selection of such video programming or other programming service;
- (f6) The term ~~*cable television system*~~, *cable system* or *system* means a facility, consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designed to provide cable service which includes video programming and which is provided to multiple subscribers within the City; ~~but such term does not include (A) a facility that serves only to retransmit the television signals of one or more television broadcast stations; (B) a facility that serves only subscribers in one or more multiple unit dwellings under common ownership, control, or management, unless such facility or facilities use any public right-of-way; (C) a facility of a common carrier which is subject, in whole or in part, to the provisions of Title II of the Communications Act of 1934, as amended except that such facility shall be considered a cable system (other than for purposes of section 621(c) of the Act (47 U.S.C. section 541(c)) to the extent such facility is used in the transmission of video programming directly to subscribers; or (D) any facilities of any electric utility used solely for operating its electric utility systems;~~
- (g) ~~The term "city" means the Consolidated City of Indianapolis, Marion County, Indiana, a municipal corporation of the State of Indiana.~~
- (h) ~~The term "clerk of the council" or "clerk" means clerk of the city-county council;~~
- (7) The term *entity* means any corporation partnership, limited liability company, association, joint stock company, joint venture, trust, or governmental or business entity;
- (i8) The term *franchise* means an initial authorization, or renewal thereof (including a renewal of an authorization which has been granted subject to section 626 of the Act (47 U.S.C. section 546)), issued by the City whether such authorization is designated as a franchise, permit, license, resolution, contract, certificate, agreement, or otherwise, which authorizes the construction and operation of a cable system;
- (9) The term *franchise administrator* means that officer or employee of the City or cable franchise agency designated by the cable franchise board to perform the duties assigned to such position by this chapter;
- (j10) The term ~~*gross accrued revenues*~~ means any and all revenues derived from the ~~*cable television*~~ operations of ~~*grantee operator's cable system*~~, ~~under the franchise granted by the city as those terms are defined herein and as reflected in the financial statements of grantee, but specifically excluding (1) any and all taxes or fees or services furnished by the grantee imposed directly on any subscriber or user by any city, county, state or other governmental unit, and collected by the grantee for such entity, (2) any and all interest income from any source attributed to such cable television operations, (3) any and all income derived by grantee from the sale and transfer of cable television assets, and (4) any and all amounts of bad debts from such cable television operations that are written off by grantee;~~
- (11) The term *institutional network* means a system or portion of a system whose use is restricted to governmental and educational operations;

- (k12) The term *landlord restricted cable services* means cable television services provided to multiple dwelling units pursuant to a private cable service contract with the owner or manager;
- (h13) The term ~~limited cable television system or limited cable system~~ means a cable system used a facility, consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment, serviced from a principal headend, including any other headends or microwave receive sites that are technically integrated to the system's principal headend, that is designed to provide cable service which includes, but is not limited to, video programming and which is provided to multiple subscribers within the city but only to subscribers (A) in one (1) or more multiple-unit dwellings under common ownership, control, or management, where such facility or facilities use any public right-of-way or (B) in one (1) or more multiple-unit dwellings not under common ownership, control, or management;
- ~~(m14)~~ The term *manager* means the owner or any other person or entity authorized by the owner of a multiple-unit dwelling to contract for private cable services to such multiple-unit dwelling;
- (n15) The term *operator* or *cable operator* means any person or entity or group of persons or entities (A) who provides cable service over a cable system and directly or through one or more affiliates owns a significant interest in such cable system, or (B) who otherwise controls or is responsible for, through any arrangement, the management and operation of such a cable system and who has been granted a franchise by the City or by any predecessor, governmental officer or organization authorized to grant a franchise;
- (o16) The term *other programming service* means information that a cable operator makes available to all subscribers generally;
- (p17) The term *person* means an individual, ~~partnership, association, joint stock company, trust, corporation, or governmental entity;~~
- (q18) The term *private cable service contract* means a contract or agreement between the operator of a limited cable system, including an applicant, for landlord restricted cable services, and the owner or manager of a multiple-unit dwelling complex, which authorizes such operator to provide a limited cable ~~television~~ service to occupants of such multiple-unit dwelling complex;
- (r19) The term *public, educational, or governmental access facilities* means (A) channel capacity designated for public, educational, or governmental use; and (B) facilities and equipment for the use of such channel capacity;
- ~~(s) The term "public way" means the surface and the area above and below the surface of any public street, highway, lane, alley, sidewalk path, right of way or easement, and any public utility easement or right of way dedicated generally for public utility uses;~~
- (t20) The term *separate limited cable service area* means the area containing one (1) or more multiple-unit dwellings ~~under the same common ownership~~ which is included in the geographic area of a special cable franchise granted under this chapter;
- (u21) The term *special cable franchise* means a franchise to operate a limited cable television system;
- (v22) The term *special cable operator* has the same meaning as "operator" under this section, except that the term applies solely to a limited private cable system;
- (w23) The term *subscriber* means any person or entity who contracts or agrees to purchase the regular subscriber service, pay television, or any other service provided by a cable system, and includes anyone actually using such service;
- (24) The term *telecommunications services* means all transmissions of data, voice, or video, including cable services, unless the transmissions are regulated by some other federal or state authority; and
- (x25) The term *video programming* means programming provided by, or generally considered comparable to programming provided by, a television broadcast station.

Sec. 8 1/2-3. Administration and enforcement.

~~The board shall have the power and duty to:~~

~~(a) Execute franchising contracts under the terms and procedures provided in this chapter; and, in the event that more than one franchise is granted within the city, to ensure that all systems are compatible.~~

~~(b) Promulgate any and all rules and regulations which it deems necessary to enable it to carry out its duties under this chapter; provided that, if within sixty (60) days after delivery of certification to the clerk of the adoption of rules and regulations by the board, the city-county council shall, by council action, disapprove or reject such rules and regulations, the adopted rules and regulations of the board shall be of no effect and the rules and regulations shall remain as they were in effect prior to disapproval or rejection by the council. If the council does not act within the sixty (60) days after delivery of certification, the rules and regulations adopted by the board shall become effective.~~

~~(c) Enforce the provisions of all franchises for any area of the city.~~

Sec. ~~8½-4~~ 851-103. Previously awarded franchises.

This chapter shall apply to all franchise contracts whether granted before, on or after the effective date of this ordinance. With respect to franchises validly existing on the effective date of this chapter, the provisions of this chapter shall be construed and applied (i) so as to be consistent with subsections 626 of the Act (a)-(g) (47 U.S.C. sec. 546(a)-(g)) and (ii) so as to impose no requirement contrary to applicable law.

Sec. ~~8½-5~~ 851-104. Franchise required.

No person or entity shall operate a cable television system within the City without having first obtained a franchise from the City. Provided that any limited cable television system which is in operation on the effective date of this ordinance and for which application for a special cable franchise is made within ninety (90) days following such effective date may continue to operate such limited cable system, subject to the regulatory authority of the board, until a final decision has been rendered upon the application. However, so long as federal law exempts the following from local regulation, a franchise is not required for:

(a) a facility that serves only to retransmit the television signals of one or more television broadcast stations;

(b) a facility that serves only subscribers in one or more multiple unit dwellings under common ownership, control, or management, unless such facility or facilities uses any public right-of-way;

(c) a facility of a common carrier which is subject, in whole or in part, to the provisions of title II of the Communications Act of 1934, as amended, unless such facility is used in the transmission of video programming, whether on a common carrier or noncommon carrier basis directly to customers; or

(d) any facilities of any electric utility used solely for operating its electric utility systems.

Sec. ~~8½-6~~ 851-105. Franchise's not exclusive.

(a) The granting of a cable franchise shall not grant the operator any rights to exclude any other franchised operator from providing services within the geographic areas included in the cable franchise.

(b) Any agreement between the operator and the owner of a multiple dwelling unit which restricts other franchised operators from providing services to the occupants of those units may be enforced only to the extent valid from time to time under applicable law. To the extent that such agreements may, at any time, become unenforceable under applicable law which applies to all franchise holders, the operator under a franchise shall take no action to enforce such exclusive rights.

(c) On or before January 1, 1997, the operator, under a franchise that is issued or renewed after May 1, 1994, shall file with the cable franchise board a list of all private cable service contracts which purport to grant the operator an exclusive right to provide cable services to occupants of multiple-dwelling units. Such list shall identify the owner or manager that made the agreement, the location of the units covered by the agreement, and the date the agreement expires. Thereafter, the operator shall file an amended or supplemental list within thirty (30) days after any change in such information becomes known to the operator.

(d) To the extent that payments are made to the owner or manager of a multiple dwelling unit for exclusive rights to provide cable services within a multiple dwelling unit, such payments shall not be deemed a cost of providing service for purposes of establishing rates to be charged to consumers of the cable television services.

ARTICLE II. PROCEDURES FOR APPLICATION, GRANT, AND RENEWAL,
MODIFICATION OR TRANSFER OF CABLE FRANCHISES PROCEDURES

DIVISION 1. GENERALLY AUTHORITY

Sec. ~~8½-11~~ 851-211. Authority to approve cable and telecommunications franchises.

Subject to the provisions of this article, the city-county council is hereby authorized to approve one (1) or more nonexclusive franchising contracts conveying the right to construct, operate and maintain, within the public ways in the City, poles, cables and any other equipment necessary to the operation of a cable television system or other communications systems within a designated area or areas for the period of time specified in the franchise.

DIVISION 2. PROCEDURAL STEPS* PETITIONS FOR GRANT OF
CABLE FRANCHISE, OTHER THAN AN ACT RENEWAL FRANCHISE

Sec. ~~8½-21~~ 851-221. ~~Letter of intent~~ Petition for franchise.

Any person or entity interested in obtaining a cable television franchise may file a ~~letter of intent~~ a petition expressing such interest with the ~~board~~ franchise administrator. The ~~letter of intent~~ petition must contain or be accompanied by:

- (1) A description of the geographic area proposed to be served with sufficient particularity as to enable a reasonable determination of the boundaries of such area and the proposed location of the cable system's facilities;
- (2) A description of the type of service to be provided by the ~~applicant~~ petitioner; and
- (3) An explanation of the reasons why the granting of a franchise for the area described would be in the best interests of the City and its citizens and would not adversely affect the provision of cable service by existing franchisees, and that the proposed facilities will not substantially and unreasonably interfere with current or planned uses of the public ways; and
- (4) The filing fee specified in Sec. 851- 261.

Sec. 851-222. Board action on petition.

(ba) Upon the receipt of a ~~letter of intent~~ a petition under Sec. ~~851-221~~ the franchise administrator shall review the petition and forward the letter to the board and to the clerk shall determine whether to recommend a recommendation that either: 1) that a request for proposals for a cable franchise should be issued; or for the area described in the letter of intent. 2) that the petitioner should be required to file an application containing certain of the information listed in Sec. 851-233; or 3) that the award of a franchise as proposed in the petition would not promote effective competition or serve the public interest.

(b) The board may determine to ~~recommend issuance of a request for proposals for an area larger than the area requested in the letter of intent~~ accept the franchise administrator's recommendation or to modify the recommendation. In making its ~~recommendation~~ decision the board may conduct such investigations as it deems appropriate to identify the future cable-related needs and interests of the community, provided that the board shall hold at least one (1) public hearing at which interested parties may appear and offer evidence concerning whether a request for proposals should be issued the recommendation made pursuant to subsection (a). Notice of the time and place of the public hearing shall be given in accordance with IC 5-3-1. Personal notice of the time and place of public hearing shall be given by mail to the ~~person who filed the notice of intent~~ petitioner and to all other operators of cable systems regulated by this chapter. The board's decision to ~~recommend~~ accept the franchise administrator's recommendation or not recommend the issuance of a request for proposals to modify the recommendation shall be made within ninety (90) days of the date on which the ~~letter of intent~~ petition was received by the ~~executive secretary~~ franchise administrator of the agency.

(c) In making its determination ~~whether to recommend issuance of a request for proposals the board shall consider whether the grant of a franchise for the area would be in the best interests of the City and its citizens and whether the refusal to award an additional competitive franchise as proposed in the petition would be unreasonable, and in so determining shall consider the following factors:~~

- (1) ~~The need for cable service in the area.~~
- (2) ~~Whether the granting of an additional franchise for the area will provide an improvement in cable services in the area or in other areas in the county.~~
- (3) ~~Whether the granting of an additional franchise for the area will have a significantly adverse impact on the provision of cable service by other operators which have franchise to serve the area.~~
- (4) ~~Whether the granting of an additional franchise furthers or impedes the purposes contained in section 8 1/2 851-1.~~
- (5) ~~Any other factors which the board considers relevant to assure the continued provision of cable services that are responsive to the needs and interests of the city and its citizens.~~

(d) The board's recommendation will be ~~made in writing and made a part of the records of the board, and provided to petitioner and to all other operators of cable systems regulated by this chapter.~~

Sec. 851-223. Council action on petition.

~~(e) The board's recommendation shall be filed with the clerk, and referred to the council committee assigned to review cable system franchises. Such committee shall may hold a public hearing to consider the recommendation of the board. The committee shall may propose that the council affirm or reverse modify the board's recommendation by adopting a resolution, that a request for proposals be issued or not issued. The council committee may hold such public hearings and meetings and conduct such investigations as it deems appropriate, and may consider new evidence in making its determination. The council's decision shall be based on the factors set forth in subsection (c) hereof and may specify such requirements for the request for proposals or applications as the council deems appropriate. The board's recommendation will be considered final if the council does not adopt a resolution as provided herein within one hundred twenty (120) sixty (60) days of the board's decision filing of its recommendation with the clerk.~~

~~(f) Nothing in this section shall be construed to limit the power of the council to issue a request for proposals on its own initiative.~~

Sec. 851-224. Reserved powers of board and council.

~~(a) Nothing in this chapter shall be construed to limit the power of the council to issue a request for proposals on its own initiative.~~

~~(b) The board may also at any time, on its own motion, conduct public hearings to determine whether it is feasible or desirable to recommend issuing a request for proposals. Such hearings shall be advertised in accordance with the provisions IC 5-3-1.~~

~~(c) The board or council may for good cause extend any of the time limits imposed in this article.~~

DIVISION 3. APPLICATIONS AND REQUESTS FOR PROPOSALS.

Sec. 8 1/2 22 851-231. Requests for proposals.

~~(a) In the event the council determines If the board's recommendation as approved by the council is to issue a request for proposals for a cable television franchise, it the council shall cause to be prepared, for board approval, a request for proposals. (RFP) The request for proposals shall establish the term of the franchise and such requirements as the council and board deem appropriate, including, but not limited to, the following:~~

- (1) ~~That applicants provide designated channel capacity for public, educational or governmental uses and/or channel capacity on institutional networks for educational or governmental use;~~

~~(2) That applicants provide cable channels for commercial use in conformity with the requirements of section 612 of the Act (47 U.S.C. section 612);~~

~~(3) That applicants provide certain facilities and equipment related to the establishment or operation of the cable system;~~

~~(4) That applicants promise to provide cable service to subscribers on a nondiscriminatory basis and to provide such service to any group of residential subscribers regardless of the income of the residents of the local area in which such group resides;~~

~~(5) That the applicants agree to provide cable television service within all areas having a specified density of living units within the franchise territory. Such density shall be expressed in terms of number of living units per mile of system.~~

~~(b) The request for proposals shall require an application fee in the amount of one hundred dollars (\$100.00) plus two and one half cents (\$0.025) for every home or apartment, hotel or motel unit in the geographic area covered by the request for proposals.~~

~~Sec. 8 1/2-23. Application for franchise.~~

~~(ab) Upon the approval of the request for proposals, the board shall give notice of the request for proposals by:~~

~~(1) Posting the notice in three (3) public places;~~

~~(2) Publication of the notice once each week for two (2) weeks in two (2) newspapers of general circulation in the city; and~~

~~(1) In accordance with IC 5-3-1; and~~

~~✓ (2) By Mmailing of the notice to any person or entity the board knows to be interested in submitting an application a proposal.~~

The board may, in its discretion, publish the notice in any newspaper of national circulation and in trade magazines or publications of the cable television or telecommunications services industry.

~~(bc) The notice shall name a date upon which applications proposals must be received at the office of the clerk and shall state that the forms of the request for proposals are available at the office of the board. The date for the receipt of the applications proposals shall not be sooner than thirty (30) days following the first publication of the notice required by section 8 1/2-23(a)(2) subsection (b).~~

~~(ed) All responses to a request for proposals shall be filed with the clerk and referred to the council committee assigned to review cable system franchises.~~

~~Sec. 851-232. Applications.~~

~~If the board's recommendation as approved by the council is that the petitioner be required to file an application containing certain of the information specified in Sec. 851-233, such application shall be filed with the clerk no later than sixty (60) days after the council action becomes final.~~

~~Sec. 8 1/2-24 851-233. Contents of requests for proposals and applications.~~

~~(a) The council committee shall reject any application which does not contain the following An RFP for the grant of a cable franchise, including a renewal franchise under subsection 626(c) of the Act (47 U.S.C. § 546(c)), shall require, at a minimum, the following information:~~

~~(1) Name and address of the person or entity applying for a franchise (hereinafter "the applicant") and identification of the ownership and control of the applicant, including: the names and addresses of the ten (10) largest holders of an ownership interest in the applicant and affiliates of the applicant, and all persons or entities with five (5) percent or more ownership interest in the applicant and its affiliates; the persons or entities who control the applicant and its affiliates; all officers and directors of the applicant and its affiliates; and any other business affiliation and cable system ownership interest of each named person or entity.~~

- (2) A demonstration of the applicant's technical ability to construct and/or operate the proposed cable system, including identification of key personnel, their titles and responsibilities.
- (3) A demonstration of the applicant's legal qualifications to construct and/or operate the proposed cable system, including but not limited to a demonstration that the applicant meets the following criteria:
 - a. The applicant must not have submitted an application for an initial or renewal franchise to the City, which was denied on the ground that the applicant failed to propose a system meeting the cable-related needs and interests of the community, or as to which any challenges to such franchising decision were finally resolved adversely to the applicant, within three (3) years preceding the submission of the application.
 - b. The applicant must not have had any cable television franchise validly revoked by any franchising authority within three (3) years preceding the submission of the application.
 - c. The applicant must have the necessary authority under Indiana law to operate a cable system.
 - d. The applicant shall not be issued a franchise if it may not hold the franchise as a matter of federal law. An applicant must have, or show that it is qualified to obtain, any necessary federal franchises or waivers required to operate the system proposed.
 - e. The applicant shall not be issued a franchise if, at any time during the ten (10) years preceding the submission of the application, the applicant was convicted of any act or omission of such character that the applicant cannot be relied upon to deal truthfully with the City and the subscribers of the cable system, or to substantially comply with its lawful obligations under applicable law, including obligations under consumer protection laws and laws prohibiting anticompetitive acts, fraud, racketeering, or other similar conduct.
 - f. The applicant shall not be issued a franchise if it files materially misleading information in its application or intentionally withholds information that the applicant lawfully is required to provide.
 - g. The applicant shall not be issued a franchise if an elected official of the City holds a controlling interest in the applicant or an affiliate of the applicant.

Notwithstanding the foregoing, the City shall provide an opportunity to an applicant to show that it would be inappropriate to deny it a franchise under Sec. 851-236, by virtue of the particular circumstances surrounding the matter and the steps taken by the applicant to cure all harms flowing therefrom and prevent their recurrence, the lack of involvement of the applicant's principals, or the remoteness of the matter from the operation of cable systems.

- (4) A statement prepared by a certified public accountant regarding the applicant's financial ability to complete the construction and operation of the cable system proposed.
- (5) A description of the applicant's prior experience in cable system ownership, construction, and operation, and identification of communities in which the applicant or any of its principals have, or have had, a cable franchise or franchise or any interest therein, provided that an applicant that holds a franchise for the City and is seeking renewal of that franchise need only provide this information for other communities where its franchise was scheduled to expire in the two (2) calendar years prior to and after its application was submitted.
- (46) A description of the area or areas of the requested franchise with sufficient particularity as to enable a reasonable determination of the boundaries of such area; provided that during the hearing process the board and council may consider modifications to the description of the area of franchise in any bid franchise application.
- ~~(2) A construction schedule. Such schedule must specify the period of time from the execution of the franchise contract within which cable television service shall be made available to areas having the density required under section 8 1/2-22(a)(5).~~

- ~~(3) A schedule indicating the initial tap-in and connection charges and the monthly rates to be charged subscribers.~~
- (7) A detailed description of the physical facilities proposed, including channel capacity, technical design, performance characteristics, headend, and access facilities.
- (8) Where applicable, a description of the construction of the proposed system, including an estimate of plant mileage and its location; the proposed construction schedule; a description, where appropriate, of how services will be converted from existing facilities to new facilities; and information on the availability of space in conduits including, where appropriate, an estimate of the cost of any necessary rearrangement of existing facilities.
- (9) The proposed rate structure, including projected charges for each service tier, installation, converters, and all other proposed equipment or services.
- (410) A description of the insurance policies to be acquired in satisfaction of the requirements of this chapter.
- (11) A demonstration of how the applicant will reasonably meet the future cable-related needs and interests of the community, including descriptions of how the applicant will meet the needs described in any recent community needs assessment conducted by or for the City, and how the applicant will provide adequate public, educational, and governmental access channel capacity, facilities, or financial support to meet the community's needs and interests.
- ~~(5) A detailed statement of the corporate or other business entity organization of the applicant, including, but not limited to the following, and to whatever extent required by the city:~~
 - ~~(i) The names, residence and business address of all officers, directors and associates of the applicant.~~
 - ~~(ii) The names, residence and business addresses of all officers, persons and entities having, controlling or being entitled to have or control five (5) per cent or more of the ownership of the applicant and the respective ownership share of each such person or entity.~~
 - ~~(iii) The names and addresses of any affiliate of the applicant and a statement describing the nature of any such affiliate's business activity, including but not limited to cable television systems owned or controlled by the applicant, its affiliates, and the area served thereby.~~
 - ~~(iv) A detailed description of all previous experience of the applicant in providing cable television system service and in related or similar fields.~~
- (v12) A detailed and complete financial statement of the applicant, prepared by a certified public accountant, for the fiscal year next preceding the date of the application hereunder, or a letter or other acceptable evidence in writing from a recognized lending institution or funding source, addressed to both the applicant and the board, setting forth a clear statement of its intent as a lending institution or funding source to provide whatever capital shall be required by the applicant to construct and operate the proposed system in the City, or a statement from a certified public accountant, certifying that the applicant has available sufficient free net and uncommitted cash resources to construct and operate the proposed system in the City, or other acceptable evidence in writing that the applicant is financially capable of constructing and operating the proposed system.
- (13) Pro forma financial projections for the proposed franchise term, including a statement of projected income, and a schedule of planned capital additions, with all significant assumptions explained in notes or supporting schedules.
- (14) If the applicant proposes to provide cable service to an area already served by an existing cable franchisee, the identification of the area where the overbuild would occur, the potential subscriber density in the area that would encompass the overbuild, and the ability of the public rights-of-way and other property that would be used by the applicant to accommodate an additional system.
 - ~~(vi) A statement identifying, by place and date, any other cable television franchises awarded to the applicant or its affiliates; the status of such franchise(s) with respect to completion thereof; the total cost of completion of such system(s); and the amount of the applicant's and its affiliate's resources committed to the completion thereof.~~

- (615) A copy of any agreement covering the franchise area, if existing between the applicant and any public utility subject to regulation by the Indiana ~~Public Service~~ Utility Regulatory Commission, providing for use of any facilities of the public utility, including but not limited to poles, lines or conduits.
- (16) Any other information as may be reasonably necessary to demonstrate compliance with the requirements of this chapter.
- (17) Information that the City may request of the applicant that is relevant to the City's consideration of the application.
- (18) An agreement by the applicant to reimburse the City its reasonable out-of-pocket expenses in considering the application in an amount set by the board.
- (19) If the application is for a special cable franchise, evidence that the owner or manager of each multiple-unit dwelling to be served by the limited cable system has agreed to receive such service, which evidence may consist of a certification from such owner or manager certifying to the existence of a private cable service contract between such owner or manager and the applicant and a description of the property.
- (20) If the application is for a special cable franchise, the number of multiple-dwelling units included in a proposed franchise area for a limited cable system that are being served under private cable service contracts that expire in less than four (4) years from the date of the franchise application.
- (21) An affidavit or declaration of the applicant or authorized officer certifying the truth and accuracy of the information in the application, acknowledging the enforceability of application commitments, and certifying that the application meets all federal and state law requirements.
- (b) Any application submitted for the grant, renewal, or transfer of a franchise (other than an application submitted pursuant to subsection 626(h) of the Act (47 U.S.C. § 546(h)) shall contain, at a minimum, the information listed in (a), unless the board or council determines that one or more of those items are not required.

Sec. ~~8 1/2-25~~ 851-234. Report on applications or proposals and notification of operators.

Upon receipt of the applications or proposals for a franchise the clerk shall refer the same to the board, which may cause to be prepared an evaluation of the applications or proposals and a recommendation of ~~which~~ whether any applicant, ~~if any,~~ should be granted a franchise. The board's evaluation and recommendation shall be filed with the clerk within sixty (60) days. The clerk shall also send written notification of the receipt of such applications or proposal(s) to all cable ~~television~~ system operators which have a franchise governed by this chapter.

Sec. ~~8 1/2-26~~ 851-235. Hearing on ~~application~~ proposals or applications.

(a) Within seventy-five (75) days of receipt of the applications or proposals, the council committee shall hold a public hearing to take evidence and hear argument on whether to grant a cable franchise to one or more of the applicants either in the form proposed in ~~an~~ the applications or proposal, or proposed by the board, or otherwise, and if so, the nature and extent thereof. The council committee shall base its determination hereunder on the criteria contained in ~~Section 8 1/2-27~~ 851-236. The clerk shall give notice of such hearing in accordance with IC 5-3-1, and if the council committee or board deems appropriate, in one (1) or more trade journals of the cable television or telecommunications services industry.

(b) At the time set for such hearing, or an adjournment thereof, the council committee shall proceed to hear all written protests and other submissions and to hear evidence and arguments from any interested persons or entities in addition to any applicants or potential applicants. A record shall be kept of such hearing and the evidence presented therein.

(c) The council or its committee may propound regulations to govern the conduct of such hearings so as to allow for the orderly and efficient presentation of evidence and argument, and to prevent unnecessary duplication or delay.

Sec. ~~84-27~~ 851-236. Factors governing council's determination.

(a) In making any determination hereunder, the council committee shall base its decision on the following factors:

- (1) The extent to which the applicant has substantially complied with the applicable law and the material terms of any existing cable franchise for the City.
- (2) Whether the quality of the applicant's service under any existing franchise in the City, including signal quality, response to customer complaints, billing practices, and the like, has been reasonable in light of the needs and interests of the communities served.
- (3) The quality of the service which the applicant promises and of which the applicant is capable.
- (4) Whether the applicant has the financial, technical, and legal qualifications to provide cable service.
- (5) Whether the application satisfies any minimum requirements established by the City and is otherwise reasonable to meet the future cable-related needs and interests of the community, taking into account the cost of meeting such needs and interests.
- (6) Whether the applicant will provide adequate public, educational, and governmental access channel capacity, facilities, equipment or financial support and/or channel capacity on institutional networks for educational and governmental uses.
- (7) That applicant provides cable channels for commercial use in conformity with the requirements of section 612 of the Act (47 U.S.C. section 532).
- (8) That applicant promises to provide cable service to subscribers on a nondiscriminatory basis and to provide such service to any group of residential subscribers regardless of the income of the residents of the local area in which such group resides.
- (9) That the applicant agrees to provide cable service within all areas having a specified density of living units within the franchise territory. Such density shall be expressed in terms of number of living units per mile of system.
- (10) The rates to the subscribers.
- (11) The income and expense to the City.
- (12) Whether issuance of a franchise is warranted in the public interest considering the immediate and future effect on the public ways and private property that would be used by the cable system, including the extent to which installation or maintenance as planned would require replacement of property or involve disruption of property, public services, or use of the public ways; the effect of granting a franchise on the ability of cable to meet the cable-related needs and interests of the community; and the comparative superiority or inferiority of competing applications.
- ~~(4) The needs of other users of the public right-of-way;~~
- (13) The effect on the ability of existing franchisees to perform their obligations under their franchise contracts.
- ~~(6) The experience, character, background and financial responsibility of any applicant, its management and owners; and~~
- (14) The technical and performance quality of facilities and equipment related to the establishment or operation of a cable system.
- (15) Whether the applicant or an affiliate of the applicant owns or controls any other cable system in the City, or whether grant of the application may eliminate or reduce competition in the delivery of cable service in the City.
- (16) The demonstrated willingness and ability of any applicant to meet construction and physical requirements and to abide by policies and limitations imposed by law ~~of~~ or franchise agreements.

(917) Any other considerations deemed pertinent by the board to its task of safeguarding the public health, safety and welfare, and facilitating and encouraging the orderly and responsible development of cable ~~television~~ systems which will provide the people of the City with cable ~~television services~~ which ~~is~~ are versatile, reliable, and efficient.

(b) The council committee shall make its determinations based on the record with a written statement of its findings and conclusions, and the reasons therefor.

Sec. ~~8 1/2-28~~ 851-237. Council action on application.

Within forty-five (45) days after the conclusion of the hearing provided for in ~~Section 8 1/2-26~~ 851-235, the council committee shall determine whether to grant a franchise to one (1) or more of the applicants.

- (1) If the council committee shall determine after hearing that any application should be denied, such determination shall be final, subject to the appeal provisions of ~~Section 8 1/2-30~~ 851-238.
- (2) If the council committee shall determine after hearing that a franchise should be granted to one or more of the applicants, it shall approve a proposed form of franchise contract, to which the applicant shall indicate its agreement in writing within fifteen (15) days. If the applicant does not agree in writing to the terms of such form of a franchise contract within fifteen (15) days, then its application shall be deemed denied.
- (3) An application may not be amended after it is received by the clerk, except in any case in which only one (1) application is received, said application may be amended for cause shown upon the unanimous consent of the council committee.
- (4) The grantee or grantees shall pay the City a sum of money sufficient to reimburse it for all of its publication and other expenses (including but not limited to consultants and legal expenses) incurred in connection with the granting of a franchise pursuant to the terms of this division.
- (5) No provision of this division shall be construed to require the City to grant any franchise contract, and the council may reject any and all applications.

~~Sec. 8 1/2-29. Additional powers of the board.~~

~~(a) The board may also at any time, on its own motion, conduct public hearings to determine whether it is feasible or desirable to grant any cable television franchise by issuing a request for proposals. The board shall base its determination on the criteria contained in section 8 1/2-21. Such hearings shall be advertised in accordance with the provisions IC 5-3-1.~~

~~(b) The board or council may for good cause extend any of the time limits imposed in sections 8 1/2-21 through 8 1/2-28.~~

~~Sec. 8 1/2-30~~ 851-238. Council review of rejections.

Any person or entity whose application is rejected by the committee may, within ten (10) days of such action, petition the council for a review of that decision by filing notice thereof with the clerk of the council. If the council determines that the rejection is improper under this division, it may by resolution direct its committee to reconsider its action. In making its determination hereunder the council shall consider as evidence, and give due weight to, the findings and conclusions of its committee and shall consider the criteria contained in ~~Section 8 1/2-27~~ 851-236.

Sec. ~~8 1/2-31~~ 851-239. Council action on recommended contracts.

Within thirty (30) days of the council committee's recommendation of a franchise and contract, the council shall introduce an ordinance approving and confirming the contract as accepted by its committee. The council shall act upon the ordinance within sixty (60) days of its introduction, except that such time may be extended by the council for good cause. The council may:

- (1) Adopt the ordinance, subject to the veto of the mayor, in which case the chairman of the cable franchise board and the mayor will be directed to execute the franchise contract, ~~and ten (10) days after the mayor signs the ordinance, the franchise contract holder shall pay an award fee by certified check payable to the city, in an amount equal to twenty cents (\$0.20) for every home or apartment,~~

~~hotel or motel unit in the geographic area covered by the franchise, provided that such award fee shall not be less than five hundred dollars (\$500.00); or~~

- (2) Defeat the ordinance, in which case the application shall be denied; or
- (3) By resolution direct its committee to consider certain modifications or amendments for the franchise contract, in which case its committee shall reconsider the application.

In making its determination hereunder, or under ~~Section 8 1/2-30 851-238~~, the council shall review the record of proceedings before its committee, and it may, in its discretion, consider new evidence. In making its determination hereunder, the council shall consider as evidence, and give due weight to, the findings and conclusions of its committee, and shall consider the criteria contained in ~~Section 8 1/2-27 851-236~~. Under no circumstances shall the council by ordinance approve or confirm any franchise contract unless the precise language has been accepted by its committee prior to the council's action.

~~Sec. 8 1/2-32. Renewal procedures.~~

~~—Whenever the board or franchise holder desires to commence renewal proceedings under section 626(a) of the Act, the request for such proceedings shall be filed with the clerk, who shall refer it to the council committee responsible for cable franchise renewals. Upon receipt of such request the committee shall establish rules for the conduct of such renewal proceedings as it deems appropriate, consistent with the Act. All franchise holders, the cable franchise board and the city official designated by the mayor shall be parties to such proceedings. If more than one (1) franchise is subject to renewal at that time, the proceedings with respect to one (1) or more franchises may be conducted concurrently. The committee may hire such counsel and consultants as it deems advisable to assist in such proceedings. The committee's final recommendation on renewal or denial of renewal shall be subject to final action by the council as provided in sections 8 1/2-30 and 8 1/2-31.~~

DIVISION 3 GRANT SPECIAL CABLE FRANCHISES

~~Sec. 8 1/2-41. Procedure for granting special cable franchises.~~

~~—(a) Any person or entity interested in operating only a limited cable system providing landlord restricted cable services, may in lieu of the procedures in sec. 8 1/2-21, apply for a special cable franchise by complying with this section.~~

~~—(b) Any person or entity interested in obtaining one (1) or more special cable television franchises may apply to the board. The board shall prescribe the form of such application, which shall require:~~

~~—(1) A diagram map showing the geographic area or areas for which the franchise is requested, and describing such areas with sufficient particularity as to enable a reasonable determination of the boundaries of such area and the proposed location of the facilities of the limited cable system;~~

~~—(2) Evidence that the applicant is either currently operating a limited cable system or has the financial, legal and technical qualifications to construct, operate and maintain a limited cable television system;~~

~~—(4) Descriptions of the cable services to be provided subscribers, of any other services or uses of the system, and of the rate structure to be charged for such services upon the grant of the franchise;~~

~~—(5) A designation of channel capacity for public, educational and governmental access, proposing either (i) interconnection with an operator currently franchised by the city or (ii) the facilities and capacity (which may consist of playback equipment) for providing subscribers with public, educational and governmental access programming substantially equivalent to that provided by other franchises; and~~

~~—(6) An application fee of either three thousand dollars (\$3,000.00) if the applicant is not a current franchisee or fifteen hundred dollars (\$1,500.00) if the applicant is a current holder of a special cable franchise; and~~

~~—(d) Upon the submission of the application and the application fee, the board shall publish notice of and hold a public hearing on the application within sixty (60) days of the receipt thereof. At the conclusion of the public hearing (which may be continued beyond the sixty (60) days with consent of the applicant), the board shall recommend to the city-county council to grant the special cable franchise if the following is established:~~

—(1) The applicant has the financial, legal and technical qualifications to operate the special cable system, provided that if at the time of its application, the applicant is providing limited cable television service in all or part of the geographic area or areas to which its application applies, such facts shall be evidence of such qualification;

—(2) The grant of the special cable franchise will not have a material adverse effect on the economic ability of any other operator to fulfill any franchise obligation to assure that access to cable service is not denied to any group of potential residential cable subscribers because of the income of the residents of the local area in which such group resides;

—(3) The proposed facilities to be constructed under the franchise will not substantially and unreasonably interfere with current or planned uses of the public ways; and

—(4) The application complies with the requirements of subsection (b).

—(e) In the event one (1) or more of the requirements set forth in subsection (d) is not established, the board shall advise the city-county council that the application is denied. The applicant may within ten (10) days of such decision request the council committee to review such decision.

—(f) The board shall include in its recommendation written findings of fact on the requirements specified in subsection (d), and if its recommendation is to grant a franchise, a proposed franchise agreement which is consistent with the terms of the application and the requirements of this chapter. Such findings and proposed franchise agreement shall be approved by the board no later than the next monthly meeting of the board following the public hearing. The time for taking such action may be extended by the board with the consent of the applicant.

—(g) The board's recommendation to grant a special cable franchise shall be filed with the clerk and referred to the council committee responsible for cable franchising. At its first regularly scheduled meeting held more than ten (10) days following the receipt of such recommendation the committee shall determine whether it would be in the public interest to recommend the issuance of the special cable franchise, and cause to be introduced to the council an ordinance or resolution which would confirm such determination and approve a franchise agreement.

—(h) A final decision denying an application is subject to appeal in the same manner as the denial of a franchise under the Act.

Sec. 8 1/2 42. Form and nature of franchise.

—Upon council approval of the granting of a special cable franchise, the board shall execute a special cable franchise agreement in a form authorized by ordinance of the council. A special cable franchise shall constitute a nonexclusive authority to operate a limited cable television system within a designated area or areas, the same as any franchise as defined in section 8 1/2 2, for the period of time specified in the franchise, but not to exceed ten (10) years.

Sec. 8 1/2 43. Applicability of other provisions.

—A franchised special cable operator that provides only landlord-restricted services shall be subject to the regulations and requirements of sec. 8 1/2 44 but only the following provisions of article III through VII of this chapter 8 1/2, provided that any reference therein to a franchise contract shall be deemed to include a special cable franchise:

—(a) Sections 8 1/2 51 through 8 1/2 54 of article III;

—(b) Sections 8 1/2 61, 8 1/2 63, 8 1/2 65 and 8 1/2 66 of article IV;

—(c) Sections 8 1/2 83 through 8 1/2 87 and 8 1/2 89 of article V;

—(d) Sections 8 1/2 101 through 8 1/2 104 of article VI; and

—(e) Sections 8 1/2 111 and 8 1/2 112 of article VII;

Sec. 8 1/2 44. Additional provisions.

~~— (a) The franchisee shall pay to the city a franchise fee equal to five (5) percent of the special cable operator's gross revenues derived from the operation of the limited cable system, computed at the end of each calendar year and paid quarterly. Gross revenues shall include the gross revenues of any affiliate or contract manager who receives revenues derived from the operation of the system.~~

~~— (b) A special cable operator shall be required to observe all customer service standards required under the Act. Notwithstanding the foregoing, a special cable operator may provide different levels of service at different areas included in a franchise, if permitted by the franchise agreement.~~

~~— (c) All rates for limited cable service shall, to the extent permitted by applicable regulations pertaining to rates, be uniform among subscribers who receive the same service.~~

~~— (d) A special cable operator shall comply with all applicable provisions of the Act.~~

~~— (e) All limited cable television systems shall provide public, educational and governmental access channels, in a manner that achieves substantially uniform access to such programming by all cable subscribers in the city. Unless otherwise agreed in the franchise agreement, a limited cable system shall interconnect with existing cable systems having a franchise which includes each separate limited service area if such franchisee is required to provide such programming by interconnection to other franchised cable systems. The special cable operator shall be responsible for all costs of interconnection, shall pay the operator of the connected system the per subscriber charges, if any, charged its subscribers for public, educational and governmental access programming, and to the extent that the city requires financial contributions from the cable operator, under agreements made or renewed after January 1, 1994, to provide facilities, support or programming of public, educational or governmental access, special cable operators shall contribute proportionally based on the average contribution per subscriber of all other operators in accordance with rules and regulations adopted by the board.~~

~~— (f) To the extent applicable, a special cable operator shall provide institutional network availability within the areas included in the franchise.~~

Sec. 8 1/2 45. Further expansion of franchise area.

~~— If the operator of a limited cable system,~~

~~— (i) Enters into a private cable service agreement with the owner or manager to provide landlord restricted cable services to multiple dwelling units that are not in its special cable franchise area; and~~

~~— (ii) The operator proposes to serve those units by interconnection with the operator's franchised system; and~~

~~— (iii) The number of dwelling units in the franchise area after the expansion will not exceed fifteen thousand (15,000) dwelling units;~~

~~the area included within the special cable system franchise may be expanded to include additional areas as follows:~~

~~— (a) The special cable operator shall file with the executive secretary of the cable franchise board an application requesting such expansion, which shall include the description of the geographic area to be added and a certification of the owner or manager as to the existence of a private cable service contract or a letter of intent to enter into a private cable service contract, subject to the approval of the expansion.~~

~~— (b) The application shall, at the time of its filing, be served by certified mail on the department of the city where right of way would be affected and on any operator holding a cable television franchise for an area which includes the area to be added to the limited cable system ("incumbent operator"). The application shall be accompanied by a certificate of service certifying that such service has been made.~~

~~— (c) The application shall be deemed approved and the area included in the special cable franchise shall be expanded to include the additional area if no written objection thereto is delivered to the cable franchise board by either a department of the city or the incumbent operator within fifteen (15) days of the service of such application.~~

~~—(d) In the event an objection is made to the application, the board shall automatically schedule the application for hearing at its next regular meeting, or may, in its discretion, schedule a special meeting to hear the same.~~

~~—(e) At the conclusion of the hearing the board shall approve the application, and the special cable franchise shall be deemed thereafter to apply to the additional area unless:~~

~~—(1) The city establishes that the grant of the expansion of the territory will substantially and unreasonably interfere with existing uses of the public ways; or~~

~~—(2) The incumbent operator establishes by clear and convincing evidence that the grant of the expansion of the territory will serve to lessen competition for the provision of cable services within the county or will materially adversely affect the economic ability of the incumbent operator to fulfill its franchise obligation to assure that access to cable service is not denied to any group of potential residential cable subscribers because of the income of the residents of the local area in which such group resides.~~

~~Neither of the foregoing conditions will be deemed to exist solely because the territory which is sought to be added to the special cable franchise is currently served by the incumbent operator.~~

~~—(f) The denial of application shall be subject to appeal to the same extent permitted by the Act for denials of a franchise.~~

Sec. 8 1/2 46. Term of special cable franchise.

~~—(a) A special cable franchise granted under this chapter shall expire upon the date stated in the franchise agreement, subject to the renewal provisions of the Act and this chapter.~~

~~—(b) The geographic area of a special cable franchise shall be the separate limited cable service areas described in the franchise agreement, including expansions approved under section 8 1/2 45; provided, that ninety (90) days after a private cable service contract to serve a separate limited cable service area expires by its terms or is terminated, such area shall no longer be included in the geographic area of such franchise unless extended within such ninety day period. Provided, however, if the termination of such private cable service contract is the result of foreclosure, bankruptcy or insolvency of the owner or manager of the multiple unit dwellings served under such private cable service contract and such dwellings are being managed under judicial supervision, said ninety day period shall be tolled until such dwellings are transferred to a new owner or manager.~~

~~—(c) Whenever under the terms of subsection (b) a separate limited cable service area ceases to be within the geographic area of a special cable franchise, the operator within thirty (30) days shall certify to the executive secretary of the cable franchise board the description of such separate limited cable service area.~~

Sec. 8 1/2 47. Revocation of special cable franchise.

~~—A special cable franchise may be revoked by the board only in the event of default under the franchise agreement or the special cable operator is not in compliance with applicable federal, state or local laws with respect to the operation of the limited cable television system, and only following notice and a hearing thereon.~~

DIVISION 4. PROCEDURAL STEPS FOR GRANT OF ACT RENEWAL FRANCHISE

Sec. 851-241. Application for renewal; review of application.

Applications for renewal under the Act shall be filed with the clerk who shall refer them to the council committee assigned to review cable franchises for review in a manner consistent with section 626 of the Act, (47 U.S.C. § 546). Upon receipt of such application, the committee shall establish rules for the conduct of renewal proceedings as it deems appropriate, consistent with the Act, and Sec. 851-242 through Sec. 851-244. The committee may hire such counsel and consultants as it deems advisable to assist in the application review, or it may authorize the franchise board to do so. If neither the operator nor the City activates in a timely manner or can activate the renewal process set forth in subsection 626(a)-(g) of the Act (47 U.S.C. § 546(a)-(g)) or if those proceeding are not available for any reason (including, for example, if the provisions are repealed), and except as to applications submitted pursuant to subsection 626(h) of the Act (47 U.S.C. § 546(h)), the provisions of this division shall apply and a renewal request shall be evaluated using the same criteria as any other request for a franchise.

Sec. 851-242. Request for proposals; proposal evaluation.

(a) If the provisions of subsections 626(a)-(g) of the Act (47 U.S.C. § 546(a)-(g)) are properly invoked, the City shall issue a request for proposals (RFP) after conducting a proceeding to review the applicant's past performance and to identify future cable-related community needs and interests. The council committee, or its designee, shall establish deadlines and procedures for responding to the RFP, may seek additional information from the applicant, and shall establish deadlines for the submission of that additional information. Public notice of the RFP's issuance shall be given in accordance with IC 5-3-1 or other applicable provision of state law and shall also be given to the applicant for renewal.

(b) Following receipt of the response to that RFP (and such additional information as may be provided in response to requests), the council committee will determine that the franchise should be renewed, or make a preliminary assessment that the franchise should not be renewed. This determination shall be in accordance with the time limits established by the Act. The preliminary determination shall be made by adopting a resolution.

Sec. 851-243. Preliminary grant/denial of renewal application.

(a) If the council committee determines that the franchise should not be renewed, based on the response to an RFP issued as provided in Sec. 851-242, and the applicant that submitted the renewal application notifies the clerk, either in its RFP response or the later of four (4) months after renewal proceedings are commenced or within ten (10) working days of the preliminary assessment, that it wishes to pursue any rights to an administrative proceeding it has under the Act, then the City shall commence an administrative proceeding after providing prompt public notice thereof.

(b) If the Council committee decides preliminarily to grant renewal, the Council committee shall prepare and submit to the full Council within thirty (30) days of its recommendation a final franchise agreement that incorporates, as appropriate, the commitments made by the applicant in the renewal application or RFP response. If the applicant accepts the proposed franchise agreement, and the Council takes action of the recommended agreement as provided in Sec. 851-239 of this chapter, the franchise shall be renewed.

(c) If the franchise agreement is not so accepted and ratified within the time limits established by paragraph 626 (c)(1) of the Act (47 U.S.C. § 546(c)(1)), renewal shall be deemed preliminarily denied, and an administrative proceeding commenced if the applicant that submitted the renewal application requests it within ten (10) days of the expiration of the time limit established by paragraph 626 (c)(1) of the Act (47 U.S.C. § 546(c)(1)).

Sec. 851-244. Administrative hearing.

(a) If an administrative hearing is commenced pursuant to subsection 626(c) of the Act (47 U.S.C. § 546(c)), the applicant's renewal application or RFP response shall be evaluated considering such matters as may be considered consistent with federal law. The following procedures shall apply:

- (1) The council shall, by resolution, appoint an administrative hearing officer or officers (referred to hereafter as "hearing officer"). The council may appoint itself or the board as hearing officer.
- (2) Public notice of any proceeding conducted pursuant to subsection 626(c) of the Act (47 U.S.C. § 546(c)) shall be given in accordance with IC 5-3-1 or other applicable state law and shall also be given by the applicant on at least one channel of the cable system in accordance with rules for such notice established by the hearing officer.
- (3) The hearing officer shall establish a schedule for proceeding which allows for documentary discovery and interrogatory responses, production of evidence, and cross-examination of witnesses. Discovery shall be conducted in the manner prescribed by the Administrative Adjudication Act (IC 4-21.5-3-1 through 4-21.5-3-37) or successor statutes thereto. Depositions shall not be permitted unless the party requesting the deposition shows that documentary discovery and interrogatory responses will not provide it an adequate opportunity to require the production of evidence necessary to present its case. The hearing officer shall have the authority to require the production of evidence as the interests of justice may require, including to require the production of evidence by the applicant that submitted the renewal application and any entity that owns or controls or is owned or controlled by, or under common control with, such applicant directly or indirectly. The

hearing officer may issue protective orders, but shall not prohibit discovery on the ground that evidence sought is proprietary or involves business secrets. Any order may be enforced by a court of competent jurisdiction or by imposing appropriate sanctions in the administrative hearing.

- (4) The hearing officer may conduct a prehearing conference and establish appropriate prehearing orders. Intervention by non-parties is not authorized except to the extent required by the Act.
 - (5) The hearing officer shall require the City and the applicant to submit prepared testimony prior to the hearing.
 - (6) Any reports or the transcript or summary of any proceedings conducted pursuant to subsection 626(a) of the Act (47 U.S.C. § 546(a)) shall for purposes of the administrative hearing be regarded no differently than any other evidence. The City and the applicant must be afforded full procedural protection regarding evidence related to these proceedings, including the right to refute any evidence introduced by the other party. Both shall have the opportunity to submit additional evidence related to issues raised in the proceeding conducted pursuant to subsection 626(a) of the Act (47 U.S.C. § 546(a)).
 - (7) Following completion of any hearing, the hearing officer shall require the parties to submit proposed findings of fact with respect to the matters that the City is entitled to consider in determining whether renewal ought to be granted. Based on the record of the hearing, the hearing officer shall then prepare proposed written findings with respect to those matters, and submit those proposed findings to the council committee and to the parties (unless the hearing officer is the full council, in which case the written findings shall constitute the final decision of the City).
 - (8) If the hearing officer is not the full council, the parties shall have thirty (30) days from the date the proposed findings are submitted to the council to file exceptions to those findings. The council shall thereafter issue a written decision by adopting a resolution granting or denying the application for renewal, consistent with the requirements of the Act and based on the record of such proceeding. A copy of the final decision of the council shall be provided to the applicant.
 - (9) The proceedings shall be conducted with due speed.
 - (10) In conducting the proceedings, and except as inconsistent with the forgoing, the hearing officer shall follow the Administrative Adjudication Act (IC 4-21-5-3-1 through 4-21-5-3-1-37) or the successor statutes thereto. The hearing officer may request that the Council adopt procedures and requirements for the conduct of the hearing as necessary in the interest of justice.
- (b) This section does not prohibit any franchisee from submitting an informal renewal application pursuant to subsection 626(h) of the Act (47 U.S.C. § 546(h)), which application may be granted or denied in accordance with the provisions of subsection 626(h) of the Act (47 U.S.C. § 546(h)). If such an informal renewal application is granted, then the steps specified in subsection (a) need not be taken, notwithstanding the provisions of this subsection.
- (c) The provisions of this section shall be read and applied so that they are consistent with section 626 of the Act (47 U.S.C. § 546).

DIVISION 5. PROCEDURAL STEPS FOR MODIFICATION OR TRANSFER OF A FRANCHISE.

Sec. 851-251. Application for modification.

An application for modification of a franchise agreement shall be filed with the clerk and shall include, at minimum, the following information:

- (1) The specific modification requested;
- (2) The justification for the requested modification, including the impact of the requested modification on subscribers and others, and the financial impact on the applicant if the modification is approved or disapproved, demonstrated through, inter alia, submission of financial pro formas;
- (3) A statement whether the modification is sought pursuant to section 625 of the Act (47 U.S.C. § 545), and, if so, a demonstration that the requested modification meets the standards set forth in section 625 of the Act (47 U.S.C. § 545);

- (4) Any other information that the applicant believes is necessary for the City to make an informed determination on the application for modification; and
- (5) An affidavit or declaration of the applicant or authorized officer certifying the truth and accuracy of the information in the application, and certifying that the application is consistent with all federal and state law requirements.

Sec. 851-252. Review of application.

The clerk shall refer the application for modification of the franchise agreement to the council committee assigned to review cable franchises for review and evaluation in accordance with the procedures for the grant of a general cable franchise, other than an Act renewal franchise.

Sec. 851-253. Further expansion of a special cable franchise area.

If the operator of a limited cable system,

- (1) Enters into a private cable service agreement with the owner or manager to provide landlord restricted cable services to multiple dwelling units that are not in its special cable franchise area; and
- (2) The operator proposes to serve those units by interconnection with the operator's franchised system; and
- (3) The number of dwelling units in the franchise area after the expansion will not exceed fifteen thousand (15,000) dwelling units;

the area included within the special cable system franchise may be expanded to include additional areas as follows:

- (1) The special cable operator shall file with the franchise administrator of the cable franchise board an application requesting such expansion, which shall include the description of the geographic area to be added and a certification of the owner or manager as to the existence of a private cable service contract or a letter of intent to enter into a private cable service contract, subject to the approval of the expansion.
- (2) The application shall, at the time of its filing, be served by certified mail on the department of the City where right-of-way would be affected and on any operator holding a cable franchise for an area which includes the area to be added to the limited cable system ("incumbent operator"). The application shall be accompanied by a certificate of service certifying that such service has been made.
- (3) The application shall be deemed approved and the area included in the special cable franchise shall be expanded to include the additional area if no written objection thereto is delivered to the board by either a department of the City or the incumbent operator within fifteen (15) days of the service of such application.
- (4) In the event an objection is made to the application, the board shall automatically schedule the application for hearing at its next regular meeting, or may, in its discretion, schedule a special meeting to hear the same.
- (5) At the conclusion of the hearing the board shall approve the application, and the special cable franchise shall be deemed thereafter to apply to the additional area unless:
 - a. The City establishes that the grant of the expansion of the territory will substantially and unreasonably interfere with existing uses of the public ways; or
 - b. The incumbent operator establishes by clear and convincing evidence that the grant of the expansion of the territory will serve to lessen competition for the provision of cable services within the county or will materially adversely affect the economic ability of the incumbent operator to fulfill its franchise obligation to assure that access to cable service is not denied to

any group of potential residential cable subscribers because of the income of the residents of the local area in which such group resides.

Neither of the foregoing conditions will be deemed to exist solely because the territory which is sought to be added to the special cable franchise is currently served by the incumbent operator.

- (6) The denial of application shall be subject to appeal to the same extent permitted for denials of a franchise.

Sec. 851-254. Transfer of the franchise.

(a) Prior approval of the City shall be required before a franchise granted by the City shall be assigned or transferred, either in whole or in part, or leased or sublet in any manner, nor shall title thereto, either legal or equitable, or any right, interest or property therein, pass to or vest in any person, entity, persons or entities until such prior approval is granted.

(b) The proposed transferee shall make a written verified application for approval of the transfer. The application shall provide complete information regarding the proposed transfer, including (i) documents embodying the transaction; (ii) financing documents; (iii) documents describing the proposed transferee, identifying all persons or entities with a five (5) per cent or more ownership interest in the proposed transferee, and, if such persons or entities are corporations or partners, identifying their parent companies; (iv) documents identifying any person or entity who will be responsible, through any arrangement, for managing or controlling the system; (v) documents showing that the proposed transferee has the financial, technical and legal ability to operate the system after the transfer so as to satisfy all its obligations under the franchise without adversely affecting subscribers; and (vi) such other information as may be required in any ordinance governing applications for a franchise. The proposed transferee shall also pay all reasonable costs incurred by the City in reviewing and evaluating the application.

(c) The City shall reply in writing within one hundred and twenty (120) days of the date it receives the information specified above and information required by federal law and shall indicate whether it intends to grant, deny, or condition the proposed transfer. The City may seek additional information from operator or the proposed transferee and both will cooperate to provide the information to the City. The City shall be under no obligation to transfer the franchise if operator's acts or omissions make the franchise subject to revocation, nor shall the City be required to transfer unless it is fully satisfied that any interests it or the public has in the franchise will be fully preserved and protected; that past non-performance will be corrected; that claims that could be considered as part of any renewal proceeding are fully preserved; that the proposed transferee has the ability and is likely to comply with the franchise agreement for the future; and that the transfer does not constitute trafficking in the franchise. By way of illustration and not limitation, under no circumstances will the franchise be transferred unless the proposed transferee agrees to accept all the terms and conditions of the franchise agreement, except to the extent that the City may be willing to modify such terms and conditions as a part of the approval of the transfer; agrees that the transfer does not constitute a waiver of any rights by the City or indicate that the operator is or has been in compliance with the franchise agreement or applicable law. The City may conduct such public hearings as it deems appropriate to consider the transfer request.

(d) Operator, upon transfer, shall within sixty (60) days thereafter file with the City a copy of the deed, agreement, mortgage, lease or other written instrument evidencing transfer or ownership control or lease of the system, certified and sworn to as correct by operator.

(e) A transfer shall include any sale of system assets, a transfer of the franchise itself, or a change of control or ownership of operator. The term "control" includes actual working control in whatever manner exercised, and there shall be a rebuttable presumption that a transfer shall have occurred upon acquisition or accumulation by any person or entity of five (5) per cent of the shares or interest in operator or any entity which owns or controls operator.

DIVISION 6. FEES.

Sec. 851-261. Schedule of filing fees.

To be acceptable for filing, an application submitted after the effective date of this ordinance shall be accompanied by a filing fee in the following amount to cover costs incidental to the awarding or enforcement of the franchise, as appropriate:

- (1) For an initial franchise, including a special cable franchise:
 - a. Petition for franchise: \$ 5,000
 - b. A response to an RFP or an application: \$50,000
- (2) For renewal of a franchise: \$60,000
- (3) For modification of a franchise agreement: \$30,000
- (4) For expansion of a special cable franchise during its term in accordance with section 851-253 of this chapter \$ 3,000
- (5) For approval of a transfer of a franchise. \$30,000

Sec. 851-262. Reimbursement of City's out-of-pocket expenses.

In addition, the City may require the franchisee, or, where applicable, a transferor or transferee, to reimburse the City for its reasonable out-of-pocket expenses in considering the application, including consultants' fees, in an amount set by the board. A franchise agreement may provide that payments made by a franchisee hereunder are not a franchise fee and fall within one or more of the exceptions in paragraph 622(g)(2) of the Act (47 U.S.C. § 542(g)(2)), and that no such payments may be passed through to subscribers in any form.

ARTICLE III. CONSTRUCTION, OPERATION, AND MAINTENANCE OF SYSTEM

DIVISION 1. USE OF PUBLIC WAYS.

Sec. ~~851-311~~ 851-311. Street occupancy.

(a) The operator shall comply with the street occupancy requirements of the City, including but not limited to payment of all generally applicable permit and licensing fees.

(ab) All poles, cables, towers, lines, and other equipment and fixtures placed by the operator within the public ways, whether above, on, or below ground, of the City shall be so located as to cause minimum interference with the proper use of other authorized users of the public ways and adjoining premises.

(bc) If the disturbance of any public way is necessary, the operator shall comply with all provisions requirements of the City relevant to such disturbance.

(ed) If at any time during the period of the franchise the City shall elect deem it necessary to change the location of any pole, cable, tower, line and other equipment or fixture located in grade of any public way, either above, on, or below ground, the operator, upon reasonable notice by the City and reasonable time for compliance, shall relocate its poles, cables, towers, lines, and other equipment and fixtures at no expense to the City.

(de) The operator shall have the authority to trim trees upon and overhanging the public ways of the City so as to prevent the branches of such trees from coming in contact with the cables and the equipment of the operator, except that, at the option of the City, such trimming may be done by it or under its supervision and direction.

(ef) In all sections of the City where the cables, wires or other like facilities of public utilities are placed underground, the operator shall place its cables and other equipment underground to the maximum extent it can be accomplished using proven technology generally used by the cable industry for comparable systems.

(fg) An operator having cable television a franchise to operate a cable system rights for a portion of the City shall have the right to use the public ways throughout the City as necessary or advisable for the efficient construction, operation and maintenance of the operator's that system, provided that cable television services may be provided only to subscribers located within the area of the operator's franchise, and use of the public ways outside the area of the operator's franchise to construct, operate, or maintain the operator's cable system shall not unreasonably interfere with the construction, operation and maintenance of a cable television system by an operator who has, or thereafter obtains, a franchise to serve

subscribers in such outside area. The ~~board~~ City shall have power to promulgate rules and regulations with respect to jointly used public ways as considered necessary or desirable.

Sec. 851-312. Public utility poles.

(a) The operator shall have the right, privilege, and authority to lease, rent, or in any other manner obtain the use of towers, poles, lines, cables, and other equipment and facilities, both above and below ground, from any and all holders of public utility licenses and franchises within the City, including but not limited to Ameritech and Indianapolis Power & Light Company, and to use such towers, poles, lines, cables, and other equipment and facilities; provided, however, that the operator shall file with the agency prior written disclosure of the towers, poles, lines, cables and other equipment and facilities it intends to use, which are subject to the board's approval. The facilities used for the operator's system shall be those erected and/or maintained by Ameritech and/or Indianapolis Power & Light Company, when and where practicable, providing mutually satisfactory rental agreements can be entered into with said companies. It is the intention of the City that all holders of public licenses and franchises within the City shall cooperate in making available to the operator their facilities whenever possible and wherever such use does not interfere with the normal use and operation of said facilities by the owners thereof. The operator shall have the right to erect, install, and maintain its own towers, poles, guys, cables, anchors, and ducts, both above and below ground, as may be necessary for the proper construction and maintenance of the system, provided that all equipment and facilities shall not be placed on City property shall first have their locations without the prior approval of the City.

(b) The operator shall have no vested interest in the location of any tower, pole, line, cable, or other equipment and facilities, and such towers, poles, lines, cables, and other equipment and facilities shall be removed or modified by the operator at no expense to the City whenever the City determines the public convenience so requires.

(c) The City shall have the right to install and maintain free of charge upon the operator-owned poles, lines, cables, and other equipment and facilities, both above and below ground, any fixtures, on the condition that such fixtures do not unreasonably interfere with the operator's operation of its system, and City indemnifies operator for losses, claims, causes of action, judgments, or liens caused by the City's negligent acts or omissions in using operator-owned poles, lines, cables, and other equipment and facilities.

Sec. 851-313. Notice to occupants of property.

Prior to the start of construction within any easement other than a public street right-of-way, the operator must give written notice to all affected property occupants informing them that the operator will be working in the area affecting such property occupants. Such notice shall include a telephone number, which may be called by property occupants who encounter any problems or damages as a result of such work by the operator.

Sec. 851-314. Operator Responsibility for Damages.

Operator shall be responsible for repairs to public or private property necessitated by damage caused by or resulting from operator's or operator's subcontractors' construction, operation, or maintenance of the system.

Sec. 851-315. Deadlines for the repair of public and private property: lawn repair.

(a) The repair of public and private property damage during construction, operation, or maintenance of the operator's system shall be completed no later than sixty (60) days after the date of the damage.

(b) Lawns shall be repaired to their preconstruction condition.

DIVISION 2. CONSTRUCTION.

Sec. 851-321. General construction standards.

(a) The construction, operation and repair of operator's system shall be performed in a safe, thorough and reliable manner using equipment of good and durable quality. The construction, operation and repair of the system shall be performed by experienced personnel familiar with their responsibilities under this franchise and applicable laws and construction standards. The operator shall at all times have sufficient,

trained personnel to satisfy all its obligations under this franchise (including under the customer service requirements set forth in Sec. 851-501) and applicable laws and regulations.

(b) Operator shall construct, operate and maintain its system in accordance with all applicable laws and regulations, including but not limited to federal, state and local building, zoning and other land use, and safety laws, codes and regulations now in effect or hereafter adopted. Without limiting the foregoing, the City, after consultation with the operator may direct the operator to follow standards for construction, operation or repair of the system as required to ensure that work continues to be performed in an orderly and workmanlike manner, or to reflect changes in the standards listed below which may occur over the term of the franchise. In any event, the construction, operation and repair of the operator's system shall at all times be in accordance with the requirements of the:

- (1) National Electrical Code;
- (2) National Electrical Safety Code;
- (3) Rules and Regulations of the Federal Communications Commission, Parts 17, 76, and 78;
- (4) Obstruction marking and Lighting, AC 70/7460-IE, Federal Aviation Administration;
- (5) OSHA Safety and Health Standards; and
- (6) NCTA Standards of Good Engineering Practices, NCTA 008-0477 EIA Standard RS-222C "Structural Standards for Steel Towers and Antenna Supporting Structures;"

and all amendments or successors to such codes, rules, standards, and regulations.

- (c) All cabling shall be buried or secured above ground and shall not be placed on the surface.

Sec. 851-322. Construction bond.

(a) Within thirty (30) days after the effective date of the franchise, the franchise holder shall obtain and maintain at its cost and expense, and file with the corporation counsel of the City, a corporate surety bond issued by a company licensed to do surety business in the State of Indiana and in an amount required by the franchise agreement to guarantee the timely construction and full activation of the system, considering the nature and extent of the system and the estimated costs of construction. The bond shall include, but not be limited to, the following conditions: There shall be recoverable by the City, jointly and severally, from the principal and surety, any and all damages, cost or expense suffered by the City resulting from failure of the franchise holder to satisfactorily complete and fully activate the system within the construction schedule described in the franchise application and approved in the franchise contract.

(b) Any extension to the prescribed construction schedule must be authorized by the council. Such extension shall be authorized only when the council finds that such extension is necessary and appropriate due to causes beyond the control of the franchise holder.

(c) Upon satisfactory completion of construction required by the franchise agreement, the construction bond ~~may~~ shall be reduced by the board to an amount deemed reasonable by the board, considering the nature and extent of any anticipated construction during the remaining term of the franchise.

(d) The rights reserved to the City with respect to the construction bond are in addition to all other rights of the City, whether reserved by this franchise or authorized by law, and no action, proceeding, exercise or failure to exercise any right with respect to such construction bond shall affect any other right the City may have.

(e) The City may require operator to obtain new construction bonds throughout the franchise term as necessary for construction of system extensions or upgrades.

DIVISION 3. MAINTENANCE.

Sec. 851-331. General maintenance standards.

(a) Subject to the other provisions of this chapter, the operator shall promulgate and adhere to a preventative maintenance policy directed toward maximizing the reliability (mean-time-between-

malfunctions) and maintainability (mean-time-to-repair) of the system. Operator shall provide City with a copy of all written policies.

(b) The operator shall perform scheduled maintenance so that activities likely to result in an interruption of service are performed so as to minimize the extent of any such interruption and so that interruptions occur at the time of lowest system use. Except in emergency situations, service may only be interrupted after a minimum of forty-eight (48) hours advance notice to subscribers and the City of the anticipated service interruption.

(c) In the course of maintaining its system, the operator shall use replacement components of good and durable quality, with characteristics better than or equal to replaced equipment and at least satisfy all federal, state and local requirements.

(d) The operator shall identify and provide the telephone number for a senior employee or employees in the City who the City can contact concerning system maintenance whenever its business office is closed.

(e) The operator shall establish at least six permanent test points for the system in the franchise territory and shall notify the City of the location of the test points. In addition to conducting such tests as may be required under federal or state law, as part of its preventive maintenance program the operator shall monthly test summation sweep across the entire band; signal-to-noise ratio measurements on at least two randomly selected channels; hum-to-carrier level measurements on at least one randomly selected channel; and subjective picture quality evaluations on all channels. The operator shall promptly correct any defects in system performance and re-test the system. Copies of all test results shall be provided to the City. The City, at its own option and expense, may conduct independent tests at the permanent test points.

(f) If, based on subscriber complaints or based on its own investigation, the City believes that the system may not be operating in compliance with its franchise, the City may require the operator to perform tests, and to prepare a report to the City on the results of those tests, including a report identifying any problem found and steps taken to correct the problem.

Sec. ~~8 1/2~~ 52 851-332. Safety requirements.

(a) The operator shall at all times comply with all safety requirements of the Code.

(ab) The operator shall at all times employ ~~ordinary~~ reasonable care and shall install and maintain in use commonly accepted methods and devices for preventing failures and accidents which are likely to cause damage, injury or nuisance to the public.

~~(b) The operator shall install and maintain its cables and other equipment in accordance with the requirements of the National Electrical Safety Code promulgated by the National Bureau of Standards.~~

(c) All cables and other equipment within the public ways of the City shall at all times be kept and maintained in as safe condition as can be reasonably accomplished using proven technology generally used by the cable industry for comparable systems. ~~existing technology reasonably permits.~~

(d) Operation of the system shall not cause any interference to television and radio reception, telephone communication, or other similar operations within the county.

Sec. ~~8 1/2~~ 53. ~~Erection and removal of poles.~~

~~No location of any pole or other wire holding structure of the operator shall be a vested interest and such poles or structures shall be removed or modified by the operator at no expense to the city whenever the board determines that the public convenience so requires.~~

DIVISION 4. INSPECTIONS AND SUBCONTRACTS.

Sec. ~~8 1/2~~ 54 851-341. Inspection.

The City shall have the right at any time upon reasonable notice to make such inspections of the system and operator's equipment used in the construction, operation or maintenance of the system as it shall find necessary to ensure compliance with the terms of this chapter, the franchising contract, and other pertinent provisions of law.

Sec. 8 1/2 55. Extension of construction schedule deadlines.

~~—Upon a determination that the operator, through no fault of its own, would otherwise be faced with undue hardship in meeting its construction schedule, the board may modify the construction schedule.~~

Sec. 851-342. Subcontract approval.

The operator shall give notice to the agency before entering into any subcontract having a price in excess of \$10,000 for the construction of or maintenance to the system unless such subcontract relates to emergency circumstances, in which event notice shall be given within three working days after entering the contract. Operator shall provide to the board the following information: the name of each subcontractor, the subcontractor's headquarters/main office address, names of subcontractor's officers or owners, a telephone number for handling questions concerning the subcontractor's work, and evidence of both workers' compensation and general liability insurance. Operator agrees to assume responsibility for any act or omission of its subcontractors and to hold its subcontractors to the applicable standards in this chapter and the franchise agreement. The City shall not be liable to any such subcontractor of the operator. Any City review of operator's subcontractors or failure to review operator's subcontractors does not in any way relieve operator of its obligation under this chapter.

ARTICLE IV. RIGHTS AND DUTIES OF OPERATOR AND CUSTOMERS
GENERAL SYSTEM REQUIREMENTS.

Sec. 8 1/2 61. Subscribers' rates and charges.

~~—(a) To the extent permitted by section 623 of the Act (47 U.S.C. section 543) and any regulations promulgated pursuant thereto by the Federal Communications Commission (herein F.C.C., the city shall regulate rates and charges for cable service to subscribers. The authority of the city to regulate such rates and charges is delegated to the cable franchise board, subject to the procedures and limitations of this section.~~

~~—(b) The following procedures shall be used to review and approve changes in rates and charges:~~

~~—(1) The cable franchise board shall adopt rules and regulations for the review and a regulation of rates and charges for cable services provided by franchisees consistent with the requirements of the Act, applicable F.C.C. regulations and this chapter. Because of the deadlines contained in current F.C.C. regulations, the procedures contained in section 8 1/2 3 shall not apply to the initial rules and regulations adopted by the cable franchise board pursuant to this paragraph but such rules and regulations shall be in effect upon adoption by the board, provided that the council may suspend or reject such regulations by resolution adopted within sixty (60) days of the date of certification of such rules and regulations to the clerk. Subsequent rules and regulations or amendments thereto shall become effective as provided in section 8 1/2 3.~~

~~—(2) The cable franchise board shall adopt final rate orders in accordance with the rules and regulations adopted by the board. Such orders shall be final upon adoption for purposes of time limits set forth in F.C.C. rules but may be reviewed by the council upon request by any participating party as set forth in this paragraph. "Participating party" means the franchisee, the executive secretary, of the cable franchise board, and any person who participated orally or by filing written positions with the board in the rate proceedings before the board. Review by the council shall be initiated by filing a request with the clerk directed to the administration and finance committee of the council. Such request shall state briefly the reasons that review is requested and shall be filed within fifteen (15) days of the date of the board's final rate order. Within thirty (30) days of the filing of such request, the administration shall hold a hearing upon the request, which hearing may be continued as deemed appropriate by the committee. The committee may recommend to the council that the final rate order be returned to the board for further proceedings. If the council adopts a resolution returning the order to the board, the board shall hold such additional hearings as appropriate and may either affirm or amend its final rate order. If the order is amended or modified such amended or modified order shall be subject to further review as provided in this paragraph for final rate orders. If the council fails to act upon a final rate order within ninety (90) days of its adoption by the board, the order of the board shall be final, subject only to review as provided by law. Notwithstanding the above, an interested party may appeal the order of the board to the F.C.C. or a court of competent jurisdiction in accordance with F.C.C. rules without seeking review by council.~~

~~—(3) The city reserves the right to review the purchase price of any transfer or assignment of the system, and any assignee to the franchise expressly agrees that any negotiated sale value which the council deems unreasonable will not be considered in the rate base for any subsequent request for service increases.~~

—(c) Regardless of whether the city regulates or is authorized to regulate rates and charges to subscribers, the operator shall not discriminate as to rates and charges among customers of basic service.

—(d) In any request for proposals or as a condition of the renewal of existing franchises, the city may require and regulate the installation or rental of equipment which facilitates the reception of basic cable service by hearing-impaired individuals.

Sec. 8½-62 851-401. Public service systems.

The operator shall provide one connection to its cable system. At least one outlet for the basic regular subscriber service may be made available free of installation charge to all public and accredited private schools and to all public and accredited private schools which the system passes. Additional service outlets for other public institutions and local government offices may be proposed in any applicant's bid institutions in the operator's franchise territory, including city, county, and township agencies, and other local government facilities and shall provide without charge those services specified in the franchise agreement.

Sec. 8½-63 851-402. Signal quality requirements.

(a) The operator shall install and maintain its cable system (including cables, equipment and devices) so that the signal transmitted to each subscriber at all outlets and on all channels, including public access, education, and government channels, shall be of adequate strength and quality to produce, without causing cross modulation in the cables or interfering with other electrical or electronic systems, pictures and sound as good as can be reasonably accomplished using proven technology generally used by the cable industry for comparable systems.

(b) Compliance with the regulations of the Federal Communications Commission regarding signals transmitted, including at a minimum the technical standards set forth in 47 C.F.R. § 76.601, as amended from time to time, shall constitute compliance with this section subsection (a) so long as such regulations exist. However, if such FCC regulations do not exist, the city-county-council City hereby reserves the right to adopt by ordinance or regulation, and after good faith negotiations with operators whose franchise requires it, standards for complying with subsection (a).

(c) The operator shall provide public, educational, and governmental access channels without deterioration in signal quality from that of broadcast channels.

(d) The City reserves the right to enact by ordinance additional technical standards, except as it may be preempted by federal or state law from doing so.

Sec. 8½-64 851-403. Cable channels for public, educational, or governmental use access channels, facilities, and equipment.

(a) The operator shall provide at least one public access channel, two educational access channels, and one governmental access channel. In addition, if the operator serves additional municipalities in Marion County, the operator shall provide, if City requests or if it is required by the franchise agreement, a second governmental access channel for shared use by other governmental units. In addition, if the operator's franchise territory includes more than one school corporation in Marion County and operator's cable system provides digital service, the operator shall provide, if City requests or if the operator's franchise agreement so requires, up to two additional educational access channels and any other channels, facilities, equipment, and other support any public, educational or governmental access channel required under its franchise on a nondiscriminatory basis. The operator shall provide such services, facilities, or equipment relating to public, educational, or governmental use of channel capacity as are required under this franchise.

(b) The operator shall interconnect its system with all other systems operating under a franchise granted by the City so that the channels designated for public, educational, and governmental access hereunder shall be transmitted on all systems simultaneously and on the same channels. This obligation includes the provision of all devices required to accomplish such interconnection.

(c) To the extent that an operator is providing facilities, support or programming for public, educational, and governmental access channels which another operator is required to carry by interconnection, the interconnecting operator shall reimburse such operator for a portion of its costs on a per subscriber basis in accordance with rules and regulations adopted by the board.

(bd) The board may promulgate rules and procedures for the use of channels, facilities, equipment, and other support capacity designated for public, educational or governmental access.

(ee) In the case of any franchise under which channel capacity is designated for public, educational, or governmental use, the board may promulgate rules and procedures under which the operator is permitted to use such channel capacity for the provision of other services if such channel capacity is not being used for such designated purposes and rules and procedures under which such permitted uses will cease.

(df) The operator shall be responsible for preventing the presentation on public, educational or governmental access channels of:

- (1) Any material designed to promote the sale of commercial products or services; and
- (2) Prerecorded programming which violates the provisions of the Code of Indianapolis and Marion County, Indiana, with respect to obscenity and pornography.

(eg) The operator shall not exercise any editorial control over have no authority to control the programs presented over any public, educational or governmental use of access channel capacity except as federal law expressly provides otherwise or as required to comply with subsection (f) and shall have no legal liability for obscenity in accordance with the Act, or pornography except for productions originating from facilities within the control of the operator. Operator shall provide to City copies of any written and published policies concerning indecent programming on leased access channels.

~~Sec. 8 1/2 65. Complaint and service procedure.~~

~~—(a) The operator shall maintain an office in the city, which shall be open during all usual business hours, have a listed telephone, and be so operated that complaints and requests for repairs or adjustments may be received at any time, whether the office is open or closed.~~

~~—(b) Maintenance service shall be immediately available to correct major outages from 8:00 a.m. until 12:30 a.m. every day, including Saturdays, Sundays and holidays.~~

~~—(c) Investigative action shall be initiated in response to all service calls, other than major outages, not later than the next business day after the call is received. Corrective action shall be completed as promptly as practicable. Appropriate records shall be made of service calls, showing when and what corrective action was taken.~~

~~—(d) The operator shall furnish each subscriber written instructions that clearly set forth procedures for placing a service call or requesting an adjustment. These instructions shall also include a name, address and telephone number provided by the board, and a reminder that he subscriber can call or write for information regarding terms and conditions of the operator's franchise if the operator fails to respond to the subscriber's request for installation, service or adjustment with a reasonable period of time.~~

~~—(e) In the event a subscriber does not obtain a satisfactory response or resolution to his request for service or an adjustment within a reasonable period of time, he may advise the board of his dissatisfaction in writing and the board shall investigate the matter and keep records with respect to all complaints.~~

~~—(f) The operator shall interrupt system service after 7:00 a.m. and before 1:00 a.m. only with good cause and for the shortest time possible and, except in emergency situations, only after publishing notice of service interruption at least twenty-four (24) hours in advance. Service may be interrupted between 1:00 a.m. and 7:00 a.m. for routine testing, maintenance and repair, without notification, on not more than two (2) nights in any week. (G.O. 125, 1979, § 1; G.O. 25, 1985 § 3)~~

~~Sec. 8 1/2 66. Termination of service.~~

~~—(a) Upon termination of service to any subscriber, the operator shall promptly remove all its facilities and equipment from the premises of such subscriber upon request.~~

~~—(b) If any subscriber terminates service during the first year of subscription because of the operator's failure to render service to such subscriber in compliance with the provisions of this chapter, or if service to a subscriber is terminated without good cause or because the operator ceases to operate the cable television~~

system for any reason except expiration of the franchise, the operator shall refund to such subscriber an amount equal to the initial tap-in and connection charges paid by the subscriber.

Sec. 851-404. Parental control devices.

The operator shall provide to subscribers on request parental control devices to permit subscribers to block out both the audio and video of specified channels. Such devices shall be provided for channels whose programs are not appropriate for children without cost if permitted by federal law. In addition, the operator shall install devices (i) so that access to pay-per-view programming is restricted through the use of a confidential "personal identification number" or other confidential validating information that can be assigned at the local business office or through the mail upon subscriber request; and (ii) so that the sound and video portion of any scrambled channel that carries programming can be blocked out on subscriber request. Operator must notify all subscribers that this option is available, when it first begins providing cable services to a subscriber and at least annually thereafter.

Sec. 851-405. Interconnection of institutional networks.

If an operator's franchise agreement requires the provision of an institutional network, the operator shall design the network so that it may be interconnected to institutional networks provided by any other operator granted a franchise by the City and shall be constructed to include all equipment, including active and passive electronic and optical devices, needed to achieve compatibility so as to transmit video, sound and data between users of such networks without modification of user's equipment and without deterioration in signal quality between networks.

Sec. 851-406. Emergency use of facilities.

(a) In the case of any disaster duly declared by the mayor or other official legally able to declare a disaster, the operator shall, upon request of the mayor or director of City's Emergency Management Division, make available to the City for emergency use during the disaster period all facilities, as are necessary, for the term of such disaster.

(b) The system shall incorporate an emergency alert system that permits the City to override the video and audio portions of all signals on all channels which operator may lawfully override. The operator shall design the emergency alert system to permit the City to do the following:

- (1) access and activate the emergency alert system using a touch-tone telephone and a special security code. The telephone can be connected to the emergency alert system via the local exchange company or a dedicated connection installed by the operator.
- (2) replace video and audio on all channels with an emergency message that may be originated from a single location to be designated by the City using a telephone and character generator.
- (3) playback a prerecorded message over the emergency alert system.

The operator's obligations under this section include the obligation to provide the character generator, modulators, playback equipment and all facilities and equipment for the system required to ensure the system works. The operator shall work with the City to develop a plan for the regular testing of the emergency alert system. However, it is the sole responsibility of the City to determine whether and under what circumstances the emergency alert system shall be used for county-wide alerts.

Sec. 851-407. Technological advances.

The operator, at its expense, shall make regular biannual reports to the board on technological advances in the industry and how such advances are being applied or could be applied in the City. To the extent provided in a franchise agreement, the City may periodically reopen negotiations with the operator to insure that the system is kept up to date.

ARTICLE V. CUSTOMER SERVICE STANDARDS.

Sec. 851-501. Complaint and service procedure.

(a) The City has adopted the Federal Communication Commission customer service standards, and operator shall comply with these standards and any modifications to the standards and any modifications to

the standards adopted by the Federal Communication Commission during the term of its franchise. The City reserves the right to enact from time to time by ordinance additional customer service standards, including subscriber remedies, and standards for system extension.

(b) The operator shall maintain an office in the Marion County, Indiana, with local staffing and convenient hours of operation including operating hours at least six days per week (Monday through Saturday) with extended hours at least two days per week. Usual business hours shall be 8:00 a.m. to 6:00 p.m., with extended hours of 8:00 a.m. to 8:00 p.m., and Saturday hours of 9:00 a.m. to 2:00 p.m. In addition, operator shall have a listed telephone, and be so operated that complaints and request for repairs or adjustments may be received at any time, whether the office is open or closed.

(c) Maintenance service shall be immediately available to correct major outages from 8:00 a.m. until 12:30 a.m. every day, including Saturdays, Sundays and holidays.

(d) Investigative action shall be initiated in response to all service calls, other than major outages, not later than the next business day after the call is received. Corrective action shall be completed as promptly as practicable.

(e) Operator shall maintain records of customer complaints, of responses to customer complaints, and requests for of service calls in a form adequate for the board to determine compliance with this article.

(f) The operator shall furnish each subscriber written instructions that clearly set forth procedures for placing a service call or requesting an adjustment. These instructions shall also include a name, address and telephone number of the agency and a reminder that the subscriber can call or write for information regarding terms and conditions of the operator's franchise if the operator fails to respond to the subscriber's request for installation, service or adjustment within a reasonable period of time.

(g) In the event a subscriber does not obtain a satisfactory response or resolution to his request for service or an adjustment within a reasonable period of time, he may advise the board of his dissatisfaction in writing and the board shall investigate the matter and keep records with respect to all complaints.

(h) The operator shall interrupt system service after 7:00 a.m. and before 1:00 a.m. only with good cause and for the shortest time possible and, except in emergency situations, only after publishing notice of service interruption at least twenty-four (24) hours in advance. Service may be interrupted between 1:00 a.m. and 7:00 a.m. for routine testing, maintenance and repair, without notification, on not more than two (2) nights in any week.

(i) Operator shall bill subscribers no more frequently than once a month not to exceed 12 times per calendar year, and shall not bill for services not being provided to subscribers.

(j) The operator shall maintain lists of current subscribers, recently installed subscribers, and subscribers having repairs performed along with telephone numbers and provide such lists monthly in an appropriate format to the contractor selected by the City to conduct cable subscriber surveys to assist the board in evaluating operator's quality of service.

(k) Operator shall have authority to promulgate such written rules, regulations, policies, prices and subscriber practices as are reasonably necessary for its business, including installation and disconnection policies, delinquent accounts collection procedures and late payment penalties, but subscribers may not be required to waive rights they would otherwise have under applicable law in order to obtain service. Operator shall provide the City with a copy of all such rules, regulations, policies, prices and subscriber practices promulgated by operator for the administration of its business as it relates to its franchise and maintained by operator in writing, whether now existing or hereafter promulgated. No such written policy may be enforced unless it has been so provided. Nothing in this section shall allow operator to promulgate rules which are inconsistent with its franchise agreement with the City or applicable law, and the City shall have the right to regulate or prohibit any practice or charge which the City may regulate or prohibit under applicable law.

Sec. 851-502. Termination of service.

(a) Upon termination of service to any subscriber, the operator shall promptly remove all its facilities and equipment from the premises of such subscriber upon request or if subscriber declines to acquire the facilities and equipment from the operator.

(b) If any subscriber terminates service during the first year of subscription because of the operator's failure to render service to such subscriber in compliance with the provisions of this chapter, or if service to a subscriber is terminated without good cause or because the operator ceases to operate the cable system for any reason except expiration of the franchise, the operator shall refund to such subscriber an amount equal to the initial tap-in and connection charges paid by the subscriber.

Sec. 851-503. Preferential or Discriminatory Practices Prohibited: service provided by special cable operator.

(a) Except to the extent required by federal, state, or local law, the operator shall not, as to rates, charges, service facilities, rules, regulations or in any respect, make or grant any undue advantage; provided, however, connection and service charges may be waived or modified during operator's promotional campaigns which shall be offered on an equal basis to all similarly situated customers.

(b) Notwithstanding the foregoing, a special cable operator may provide different levels of service at different areas included in a franchise, if permitted by the franchise agreement and applicable Federal Communication Commission regulations.

Sec. 851-504. Subscriber Privacy.

(a) The provisions of section 631 of the Act (47 U.S.C. § 551) with regard to the protection of subscriber privacy are incorporated into this section. Specifically, operator shall not use the system to collect personally identifiable information concerning any subscriber nor shall the operator disclose any personally identifiable information concerning any subscriber without the prior written or electronic consent of the subscriber concerned. Operator shall take all steps required so that it may provide the information required to the City's cable subscriber survey contractor, including by providing any required notice to subscribers that such information may be provided to the City's contractor for subscriber surveys to assist the City in evaluating operator's quality of service and otherwise to administer the franchise agreement. In addition, operator shall take such actions as are necessary to prevent unauthorized access to such information by a person or entity other than the subscriber or operator, including "blacking out" all information that operator may not transmit to the City or City's survey contractor.

(b) No monitoring of any terminal connected to a system shall take place without specific authorization by the subscriber or other user of the terminal in question, nor shall aural or visual monitoring of any kind take place without a clear indication to the subscriber that such monitoring is presently taking place. Such indication may be in the form of an audible sound signal or light signal or any other form the operator deems reasonable, with the subscriber's approval. This indication to the subscriber is not required where a terminal is merely "polled" by a digital signal pursuant to a prior authorization, as opposed to a voice or visual monitoring. It is the intent of this section to give absolute protection against unwarranted invasion of privacy to each subscriber on the system. If at any time the operator initiates a subscriber response system for use in the system, the operator shall notify the board in writing, and demonstrate to the board that the system can operate effectively in an articular mode without any unwarranted invasion of privacy.

ARTICLE VI. RIGHTS AND DUTIES OF OPERATOR. AND CITY.

Sec. 851-601. Franchise fee.

(a) General requirement: Unless otherwise provided by its franchise agreement or this chapter, the operator of a cable system for which a franchise is required under this chapter shall pay to the City franchise fees in aggregate amounts equal to five percent (5%) of its gross revenues derived annually from its operations of the cable system within the City.

(b) Previously granted franchise: As to franchises granted prior to August 1, 1995, the operator shall pay the franchise fee specified in the respective franchise agreements, as amended.

(c) Direct payments: A franchise granted or renewed after August 1, 1995, shall require the operator to make direct payments to the City as franchise fees an amount equal to five percent (5%) of its gross revenues reduced by (1) any and all taxes or fees or services furnished by the grantee imposed directly on any subscriber or user by any city, county, state or other governmental unit, and collected by the grantee for such entity, (2) any and all interest income from any source attributed to such cable system operations, (3) any and all income derived by grantee from the sale and transfer of cable system assets, and (4) any and all amounts of bad debts from such cable system operations that are written off by grantee.

(d) Credits: If the franchise requires the operator to pay other amounts which are deemed franchise fees under federal law and the sum of those payments and those required by subsection (c) exceeds the maximum franchise fees permitted by federal law, the payments under subsection (c) shall be reduced by such amount so that the total franchise fees shall not exceed the maximum permitted by federal law.

(be) The operator shall be prohibited from prepaying franchise fees on estimated annual revenues at the time of bidding for a new or renewal franchise.

(ef) Should applicable federal law change so that the law no longer specifies a limit on franchise fee payments, City shall specify the limit by ordinance.

(de) City reserves the right to conduct periodic audits of operator's records to determine compliance with this provision. City acceptance of operator's franchise fee payments does not constitute an accord and satisfaction nor are such payments in lieu of any other fees, taxes, or payments owed by operator.

(ef) Operator shall pay simple interest at the rate of ten (10) percent per annum on all franchise fees which remain unpaid after the date they are due until the fees are paid.

Sec. 8 1/2 81. Construction bond.

—(a) Within thirty (30) days after the effective date of the franchise, the franchise holder shall obtain and maintain at its cost and expense, and file with the corporation counsel of the City of Indianapolis, a corporate surety bond issue by a company licensed to do surety business in the State of Indiana and deemed acceptable by the corporation counsel, in an amount deemed reasonable by the board to guarantee the timely construction and full activation of the cable television system, considering the nature and extent of the system and the estimated costs of construction. The bond shall include, but not be limited to, the following conditions: There shall be recoverable by the city, jointly and severally, from the principal and surety, any and all damages, cost or expense suffered by the city resulting from failure of the franchise holder to satisfactorily complete and full activate the cable television system within the construction schedule described in the franchise application and approved in the franchise contract.

—(b) Any extension to the prescribed construction schedule must be authorized by the council. Such extension shall be authorized only when the council finds that such extension is necessary and appropriate due to causes beyond the control of the franchise holder.

—(c) The construction bond shall be terminated only after the council finds that the franchise holder has satisfactorily completed and fully activated the cable television system in the franchise area.

—(d) The rights reserved to the city with respect to the construction bond are in addition to all other, rights of the city, whether reserved by this franchise or authorized by law, and no action, proceeding, exercise or failure to exercise any right with respect to such construction bond shall affect any other right the city may have.

Sec. 8 1/2 82 851-602. Security Fund.

(a) Within thirty (30) days after the execution of the a franchise agreement, the operator shall deposit with the City the sum of One Hundred Fifty Thousand Dollars (\$150,000) or such other lesser amount as the board deems reasonable considering the nature and extent of the system and the estimated costs of construction, in monies, a bond, a letter of credit, or a combination of these instruments as security for the faithful performance of all the provisions of the franchise contract agreement, for payment of liquidated damages described in Sec. 851-605 of this chapter, and the for payments by the operator of any claims, liens, and taxes due the City which arise by reason of the construction, operation, or maintenance of the system. Any monies deposited pursuant to this section shall be placed by the controller of the City in an interest-bearing demand account at a bank or local savings institution agreeable to both parties. Interest on this account will accrue to the benefit of the operator upon completion and activation of the system as required in the franchise contract, and, Upon completion of construction required by the franchise agreement, the security fund may shall be reduced by the board thereafter to an amount which the board deems reasonable, considering the nature and extent of any anticipated liabilities during the remaining term of the franchise, which amount shall be maintained during the period of the franchise contract.

(b) If the franchise administrator determines that operator has failed to perform under the franchise agreement, that City or County taxes are due from the operator and are unpaid, that the City has been compelled to pay damages, costs, or expenses by reason of any act or default of the operator in connection

with the franchise agreement, or that any other claims against the operator have arisen by reason of the construction, operation, or maintenance of the system, such that the City may draw monies from the security fund, the franchise administrator shall make a written report to the board outlining both the circumstances which the franchise administrator believes entitles the City to withdraw monies from the security fund and the amount proposed to be withdrawn. The franchise administrator shall provide a copy of the report to the operator. The board shall hold a hearing on the proposed withdrawal during which the operator may respond to the franchise administrator's report. Following the hearing, the board shall decide whether a withdrawal should occur and the amount of any withdrawal. The franchise administrator may immediately withdraw the amount, and, upon such withdrawal, the franchise administrator shall notify the operator of the amount and the withdrawal date. Within ten (10) days after notice to it that any amount has been withdrawn from the security fund deposited pursuant to subsection (a), the operator shall pay to, or deposit with, the City a sum of money or securities sufficient to restore such security fund to the full amount required by subsection (a). If the franchise holder operator fails to pay to the city any compensation within the time fixed herein; or fails, after ten (10) days' notice, to pay to the city or county any taxes due and unpaid; or fails to repay to the city, within such ten (10) days, any damages, costs or expenses which the city shall be compelled to pay by reason of any act or default of the operator in connection with the franchise contract; or fails, after three (3) days' notice of such failure by the mayor or his designee to comply with any provision of this chapter, and the mayor or his designee reasonably determines that such failure can be remedied by an expenditure from the security fund, the mayor or his designee may immediately withdraw the amount thereof, with interest and any penalties, from the security fund. Upon such withdrawal, the mayor or his designee shall notify the operator of the amount and date thereof to restore such security fund within the specified ten (10) day period, the City may withdraw the entire security fund deposit remaining which shall be forfeited.

(c) With respect to violations of this chapter for which liquidated damages are specified in Sec. 851-605, the franchise administrator or other authorized city official may initiate a proceeding before the board, which board is hereby designated pursuant to IC 36-1-6-9 as the administrative board before which violations of this chapter may be enforced. Such proceeding shall be initiated by filing a complaint with the board, which shall issue a summons to the operator setting a time and date at which the board will hold a hearing on the violations alleged in the complaint. If after a hearing conducted in compliance with IC 36-1-6-9 the board finds that the operator has violated the ordinance as alleged, the board shall enter an order fixing the amount of the liquidated damage penalty. If the operator fails to appeal the order of the board within sixty (60) days after the date of the order as provided in IC 36-1-6-9(f), the city shall withdraw the amount of liquidated damages fixed in such order from the security fund.

(ed) The security fund deposited pursuant to this section shall become the property of the City in the event that the franchise contract agreement is cancelled by reason of the default of the operator. The operator, however, shall be entitled to the return of such security fund, or portion thereof, as remains on deposit with the city at the expiration of the term of the franchise contract, provided that there is then no outstanding default on the part of the operator. Notwithstanding the foregoing, operator shall have the right to contest the Board's decision to authorize a withdrawal from the security fund by filing an action in a court of competent jurisdiction. If operator prevails in such an action, the City shall repay to operator the amount of the sum so withdrawn from the security fund together with interest at the statutory rate which applies to judgments from the date of such withdrawal.

(e) The operator, shall be entitled to the return of such security fund, or portion thereof, and interest as remains on deposit with the City at the expiration of the term of its franchise, provided that there is then no outstanding default on the part of the operator.

(df) The rights reserved to the City with respect to the security fund are in addition to all other rights of the City, whether reserved by this chapter, the franchise or contract, or authorized by law; and no action, proceeding, or exercise of a right with respect to such security fund shall affect any other right the City may have.

Sec. 8½-83 851-603. Liability, Indemnification and Insurance.

(a) The operator shall pay all damages and penalties which the city may legally be required to pay as a result of indemnify the City and its officers, employees, and agents for all expenses and costs, including reasonable attorneys' fees and other out-of-pocket expenses, arising out of or resulting from the grant of a franchise under this chapter, including all damages arising out of the installation, operation, or maintenance of the cable television system, whether or not any act or omission complained of is authorized, allowed, or prohibited by this chapter or the franchising contract, any such expenses and costs incurred by the City in defending the validity of the grant of a franchise, provided that the operator shall have the right to agree to

the selection of counsel and the fees to be charged for such defense and shall have the right, together with the City, to give direction to counsel in such defense.

(b) The operator shall pay all expenses incurred by the city in defending itself with regard to all damages and penalties described in subsection (a) of this section. These expenses shall include all out-of-pocket expenses, including attorneys fees, damages and penalties which the City may legally be required to pay as a result of the grant of its franchise under this chapter, including all damages arising out of the installation, operation, or maintenance of the system, whether or not any act or omission complained of is authorized, allowed, or prohibited by the Code. Operator's payment shall include all amounts expended by the City in defending itself in such action, including but not limited to attorneys' fees and out-of-pocket expenses.

(c) In order for the City to assert its rights to be indemnified, defended, and held harmless, the City shall:

- (1) Notify the operator of any claim or legal proceeding which gives rise to such right.
- (2) Afford the operator the opportunity to participate in any compromise, settlement, or other resolution or disposition of such claim or proceeding and to fully control the financial terms of any payments to be made in such final disposition.
- (3) Fully cooperate with the reasonable request of the operator in its participation in, and control, compromise, settlement, or resolution or disposition of such claim or proceeding.

and operator and City shall act reasonably under all circumstances so as to mutually protect each other against liability and to mutually refrain from compromising the rights of each other.

(d) Operator shall purchase and maintain throughout the term of the franchising contract, a policy or policies of general comprehensive public liability and property damage insurance insuring the city and the operator, such commercial general liability and other insurance as is appropriate and as will protect operator and City, by their employees, officers, or agents from (i) claims under workers' or workmen's compensation, disability benefits and other similar employee benefit acts; (ii) claims for damages because of bodily injury, occupational sickness or disease, or death of operator's employees; (iii) claims for damages because of bodily injury, sickness or disease, or death of any person other than operator's employees; (iv) claims for damages insured by personal injury liability coverage which are sustained by any person as a result of an offense directly or indirectly related to the employment of such person by operator, or by any other person or entity for any other reason; (v) claims for damages because of physical injury to or destruction of tangible property wherever located, including loss of use resulting therefrom; (vi) claims arising out of operation of any laws or regulations for damages because of bodily injury or death of any person or for damage to property; and (vii) claims for damages because of bodily injury or death of any person or property damage arising out of the ownership, maintenance or use of any motor vehicle, which may arise out of the ownership, maintenance or use of any motor vehicle, which may arise out of or result from operator's other obligations under the franchise agreement whether it is to be performed or furnished by operator, by any subcontractor, by anyone directly or indirectly employed by any of them to perform or furnish any of the work under the agreement, or by anyone for whose acts any of them may be liable. Written evidence of payment of premiums and copies of such insurance policy or policies certificates shall be filed with the board within thirty (30) days of the effective date of the franchise.

- (1) The insurance required by this section shall be written for not less than the limits of liability and coverages as provided herein or as required by law, whichever is greater. The Commercial General Liability Insurance shall include coverage of (a) Premises and operations, (b) Contractual Liability as applicable to any indemnification hold harmless agreements in the agreement, (c) Products and Completed Operations, (d) Broadform Property Damage -including completed operations, (e) Fellow Employee claims under Personal Injury, and (f) Independent contractors. Such insurance shall specifically include coverage for property damage from explosion, collapse of structures or structural injury due to grading of land, excavation, filling, back filling, tunneling, pile driving, caisson work, moving, shoring, underpinning, raising of or demolition of any structure, or removal or rebuilding of any structural support of a building or structure. Such insurance shall further include coverage for damage to wires, conduits, pipes, mains, sewers, or other similar apparatus encountered below the surface of the ground when such damage is caused by any occurrence arising out of work performed by operator or by any operator's subcontractor or anyone directly or indirectly employed by either.

(2) The operator's insurance shall be written for not less than the following limits of liability:

a. Workers Compensation & Disability: Statutory Limits

b. Employer's Liability:

(i) Bodily Injury by Accident: \$100,000 each accident

(ii) Bodily Injury by Disease: \$500,000 policy limit

(iii) Bodily Injury by Disease: \$100,000 each employee

c. Commercial General Liability (Occurrence Basis) Bodily injury, personal injury, property damage, contractual liability, products-completed operations.

(i) General Aggregate Limit (other than Products/Completed Operations): \$2,000,000

(ii) Products/Completed Operations: \$2,000,000

(iii) Personal & Advertising Injury Limit: \$1,000,000

Each Occurrence: \$1,000,000

Fire Damage (any one fire): \$50,000

Medical Expense Limit (any one person): \$5,000

d. Comprehensive Auto Liability (single limit) (owned, hired and non-owned)

Bodily injury and property damage: \$1,000,000 each accident

e. Umbrella Excess Liability: \$5,000,000 each occurrence and aggregate

The Deductible on the Umbrella Liability shall not be more than \$10,000

(3) Operator shall be responsible for paying all deductible amounts.

(4) Before commencing work, operator shall submit a "Certificate of Insurance" indicating the above necessary coverages as well as naming City, its employees and representatives as "Additional Insureds" on all policies except Workers' Compensation to City for review and approval. Such insurance shall be carried with financially responsible insurance companies authorized to do business in the State of Indiana, have a general policyholder's rating of A+, A, or A-, in the edition of Alfred M. Best's Insurance Reports and be satisfactory in form and coverage to City. Such coverages shall be kept in force at all times during the term of the franchise agreement. Operator's insurer(s) shall provide by Certified Mail to the City sixty (60) days prior written notice in the event of cancellation, non-renewal or material change in the policies. In the event the board determines that the certificates do not clearly show that operator's coverages and liability limits are those required by this chapter or litigation involving the scope or amount of operator's coverage under this chapter is commenced, the board reserves the right to request, and the operator shall provide, copies of the underlying insurance policies for the certificates required above.

(5) The Commercial General Liability insurance required by this section shall include contractual liability insurance applicable to indemnity and hold harmless obligations under the franchise agreement.

(e) The rights reserved to the City with respect to indemnification and insurance are in addition to all other rights of the City, whether reserved by this code, the franchise agreement, or authorized by law, and no action, proceedings, or exercise of a right with respect to such indemnification and insurance shall affect any other right the City may have.

Sec. 81 1/2-84. Expansion outside franchise area.

~~The grantee may be required to interconnect its system with any other broadband communications facility. Such interconnection shall be made within the time limit established by the city. The interconnection shall, at the city's discretion, be accomplished according to the method and technical standards determined by the city, in a manner consistent with applicable Federal Communications Commission standards.~~

~~Sec. 8 1/2 85. City's use of poles.~~

~~—The city shall have the right to install and maintain free of charge upon the poles of the operator any wire and pole fixtures, on the condition that such wire and pole fixtures do not unreasonably interfere with the operator's operation of the cable television system.~~

~~Sec. 8 1/2 86. Emergency use of facilities.~~

~~—In the case of any disaster, duly declared by the mayor, the grantee shall, upon request of the mayor, make available to the city, for emergency use during the disaster period, all facilities not necessary to the grantee in fulfilling its other legal obligations.~~

~~Sec. 8 1/2 87. Transfer of franchise.~~

~~—(a) In the event the franchise is transferred, in whole or in part, prior consent of the board to such transfer shall be required.~~

~~—(b) In the event the operator is a corporation and any person owning or controlling more than five (5) percent of the operator's voting stock, through the acquisition of any amount of stock, comes to own or control more than five (5) per cent of the operator's voting stock, prior approval of the board to such acquisition shall be required.~~

~~—(c) Any transaction of stock representing a partnership share or any other beneficial interest, having the effect of changing in the aggregate more than fifty (50) per cent of the voting or equity rights, or having the effect of increasing the ownership of any single owner whose prior interest was five (5) per cent or more and his ownership increases by an amount of twenty (20) per cent or more, shall be deemed a transfer under this section.~~

~~—(d) Any prior consent of the board required by this section shall not be unreasonably withheld, shall be expressed by resolution, and shall be subject to any reasonable conditions prescribed in that resolution and shall be effective only upon approval by the city-county council.~~

~~Sec. 8 1/2 88. Private security.~~

~~—The operator or an affiliate of the operator shall not engage in the private security business in Marion County, either directly or indirectly, except to the extent that communications lines are leased or made available to third parties for that purpose. An "affiliate" for the purpose of this section, is any corporation or other business entity or association of which fifty (50) per cent or greater equity interest is owned or controlled by the operator. Any corporation or business entity of which the operator maintains an equity interest shall be subject to the same rate structure as charged by the operator to other third parties for the lease or availability of lines for the providing of private security service.~~

~~Sec. 8 1/2 89. Modifications of franchise.~~

~~—Any operator may obtain a modification of the requirements of its franchise to the extent permitted by and in accordance with the procedures set forth in Section 625 of the Act (47 U.S.C. Section 625). A request for modification shall be filed with the board and must be approved by the board and the council in order to be effective.~~

Sec. 851-604. No Recourse.

The operator shall have no recourse whatsoever against the City or its officers, employees, or agents, for any loss, cost, expense or damage on account of claims arising out of any provision or requirements of its franchise because of its enforcement or non enforcement, and without regard to whether the act or omission giving rise to the loss, cost, expense or damage was required or not required by the grant of the franchise. Nothing in this section shall be read to waive or limit any immunities granted by state or federal law to the City.

Sec. 851-605. Liquidated Damages.

(a) For certain violations of the provisions of this chapter for which damages are otherwise not ascertainable, liquidated damages shall be chargeable to the security fund described in Sec. 851-602 of this chapter as follows:

- (1) For the failure to complete construction and installation of the system in accordance with Article III of this chapter, unless the council specifically approves the delay by resolution because of reasons beyond the control of the operator, the operator shall forfeit One Thousand Dollars (\$1,000.00) each day or part thereof that the failure continues.
 - (2) For failure to provide data and reports as requested by the council or board or required by this chapter, the operator shall forfeit Fifty dollars (\$50.00) each day or part thereof that the failure continues.
 - (3) For failure to comply with the transfer requirements of Sec. 851-254 of this chapter, the operator shall forfeit One Thousand Dollars (\$1,000.00) each day or part thereof that the failure continues.
 - (4) For failure to comply with the system and customer service standards of Articles IV and V of this chapter, the operator shall forfeit Seven Hundred Fifty Dollars (\$750.00) each day or part thereof that the failure continues.
 - (5) For persistent failure to comply with such reasonable requests and recommendations as may be made by the council and board pursuant to authority granted by the code, the operator shall forfeit Seven Hundred Fifty Dollars (\$750.00) each day or part thereof that the failure continues.
 - (6) Recovery of liquidated damages shall not excuse non-performance, and the City may, in addition to recovering such damages, obtain any other relief or apply any other remedy which it may seek under the code, the franchise agreement, or otherwise at law or equity.
- (b) In addition, the City retains all other rights and powers it has by virtue of the code, the franchise agreement or otherwise, including the right to impose civil penalties, and shall have the right to terminate and cancel the franchise and all rights and privileges of the operator in the event that the operator:
- (1) Fails to cure any violation (except where such violation is an event not within the operator's control) of any material provision of the code, the franchise agreement, or any rule, regulation, order, or determination of the City, the board, or the council made pursuant to the code, except where such violation is cured within a reasonable time before termination as determined by the City.
 - (2) Fails to meet the construction schedule as established in the franchise agreement or as modified by the council at the end of any two (2) years unless such failure is not an event within the operator's control.
- (c) An event not within operator's control includes, but is not limited to, natural disasters, civil disturbances, power outages, telephone network outages and severe weather. Those events which are ordinarily within the operator's control, include, but are not limited to, special promotions, pay-per-view events, rate increases, regular peak or seasonal demand periods, and maintenance or upgrade of the system.
- (d) Termination and cancellation may be effected only as specified by ordinance and in accordance with federal, state, and local law; however, before the franchise may be terminated and canceled under this section, the operator must be provided with thirty (30) days notice and an opportunity to be heard before the council or its designated committee.

Sec. 851-606. Non-collusion Warranty.

The operator shall warrant that it has neither paid nor agreed to pay any commission, fee, percentage, gift, or any other consideration, including providing service without charge, contingent upon, or resulting from the award, transfer or renewal of its franchise to any officer (whether elected or appointed), employee, or agent of the City or of Marion County, Indiana.

ARTICLE VII. GENERAL REGULATORY PROVISIONS

Sec. 851-701. Subscribers' rates and charges.

(a) To the extent permitted by section 623 of the Act (47 U.S.C. section 543) and any regulations promulgated pursuant thereto by the Federal Communications Commission, the City shall regulate rates and charges for cable service to subscribers. The authority of the City to regulate such rates and charges is delegated to the board, subject to the procedures and limitations of this section.

(b) The following procedures shall be used to review and approve changes in rates and charges:

(1) The cable franchise board shall adopt rules and regulations for the review and a regulation of rates and charges for cable services provided by franchisees consistent with the requirements of the Act, applicable Federal Communications Commission regulations and this chapter. Because of the deadlines contained in current Federal Communications Commission regulations, such rules and regulations shall be in effect upon adoption by the board, provided that the council may suspend or reject such regulations by resolution adopted within sixty (60) days of the date of certification of such rules and regulations to the clerk.

(2) The cable franchise board shall adopt final rate orders in accordance with the rules and regulations adopted by the board. Such orders shall be final upon adoption for purposes of time limits set forth in Federal Communications Commission rules but may be reviewed by the council upon request by any participating party as set forth in this paragraph. "Participating party" means the franchisee, the franchise administrator, and any person or entity who participated orally or by filing written positions with the board in the rate proceedings before the board. Review by the council shall be initiated by filing a request with the clerk of the council. Such request shall state briefly the reasons that review is requested and shall be filed within fifteen (15) days of the date of the board's final rate order. Within thirty (30) days of the filing of such request, the committee shall hold a hearing upon the request, which hearing may be continued as deemed appropriate by the committee. The committee may recommend to the council that the final rate order be returned to the board for further proceedings. If the council adopts a resolution returning the order to the board, the board shall hold such additional hearings as appropriate and may either affirm or amend its final rate order. If the order is amended or modified such amended or modified order shall be subject to further review as provided in this paragraph for final rate orders. If the council fails to act upon a final rate order within ninety (90) days of its adoption by the board, the order of the board shall be final, subject only to review as provided by law. Notwithstanding the above, an interested party may appeal the order of the board to the Federal Communication Commission or a court of competent jurisdiction in accordance with Federal Communication Commission rules without seeking review by council.

(3) The City reserves the right to regulate subscribers' rates and charges by ordinance if the applicable federal law is changed or repealed and the City is not prohibited from doing so by law.

(c) Regardless of whether the City regulates or is authorized to regulate rates and charges to subscribers, the operator shall not discriminate as to rates and charges among customers of basic service.

(d) In any request for proposals or as a condition of the renewal of existing franchises, the City may require and regulate the installation or rental of equipment which facilitates the reception of basic cable service by hearing-impaired individuals.

Sec. 851-702. Administration and enforcement.

The operator's franchise is subject to such ordinances or regulations that may be lawfully adopted from time to time (i) to permit the City to exercise its rights under the franchise agreement or the Code; or (ii) pursuant to the City's police and regulatory powers under applicable law.

Sec. ~~851-101~~ 851-703. Compliance with other applicable laws.

(a) The operator shall comply with all statutes, codes, ordinances, rules and regulations applicable to its business.

(b) A franchise granted pursuant to this chapter authorizes only the operation of a cable television system, and does not take the place of any other franchise, license or permit which law requires of the operator.

(c) The council, the board and any other agency of the City shall have the power to adopt, in addition to the provisions contained in this chapter, the franchising contract, and any other applicable ordinances or regulations, as of December 7, 1979, such additional ordinances or regulations as they shall find necessary in the exercise of police power, provided, that such ordinances or relations shall be reasonable and not unconstitutionally in conflict with the rights granted in the franchising contract.

~~Sec. 8 1/2-102. New developments.~~

~~—It shall be the policy of the city liberally to amend this chapter and franchising contract, upon application of the operator, when necessary to enable the operator to take advantage of any developments in the field of cable television which will afford it an opportunity to better serve customers; however, this section shall not be construed to require the city to initiate any amendment.~~

~~Sec. 8 1/2-103 851-704. Reports to be filed with board.~~

~~(a) The operator shall file with file and maintain the board with Indianapolis Mapping and Geographic Infrastructure System (IMAGIS) Consortium or successors true and accurate maps or plats mapping data in digital format of all existing and proposed installations plant extensions.~~

~~—(b) The operator shall file annually with the board, not later than one hundred twenty (120) days after the end of the operator's fiscal year, a copy of its reports to its stockholders, if any, an income statement applicable to its operations under the franchising contract during the preceding twelve month period, a balance sheet as of the beginning of the fiscal year, and a statement of its properties devoted to cable television operations, by categories, giving its investment in such properties on the basis of original cost, less applicable depreciation. These reports shall be prepared or approved by a certified public accountant as being in accordance with generally accepted accounting practices.~~

~~(b) The operator shall file with the agency all quarterly and annual financial reports and statements required to be filed with the Securities and Exchange Commission. The operator shall also provide the agency with quarterly statements of gross revenues by category of revenue with regard to payment of franchise fees as well as an annual report of gross revenues by category of revenue from the operation of its system in the City.~~

~~(c) The operator shall file with the board agency a copy of any formal communications received from or required to be filed with any other governmental agency, except tax returns and determinations, including the Federal Communications Commission, concerning the operation of its system in the City or affecting operator's ability to perform its franchise agreement with the City.~~

~~(d) Upon the request of the board, (The operator shall file with the board agency written evidence at least annually of payment of premiums on insurance policies required by this chapter.~~

~~(e) The operator shall file annually with the agency the Equal Employment Opportunity reports described in section 634 of the Act (47 U.S.C. § 554). These reports shall be filed with the agency within thirty (30) days after the reports are filed with the Federal Communication Commission.~~

~~(ef) The operator shall keep on file with the board agency current copies of insurance certificates evidencing the coverages and liability limits required by this chapter.~~

~~(fg) The operator shall keep on monthly file with the board agency an operations report, showing such information as changes in subscriber totals, subscribers for each tier of service, a summary of complaints, and a summary of outages. a current list of its shareholders, partners, bondholders, and all other persons owning any financial interest in the operator.~~

~~(gh) The operator shall file or keep on file with the board agency any information which may be required by the code or which the board reasonably deems necessary to ensure that the duties of the operator, its customers, the agency, and the board are carried out.~~

~~Sec. 8 1/2-104 851-705. Inspection of records and facilities; maintenance of records.~~

~~—The city shall have the right to inspect the operator's books, plans, income tax returns and other business records, and its studios, equipment and other facilities at any time during normal business hours.~~

~~(a) At any reasonable time during normal business hours, the City shall have the right to inspect the studios, equipment, operating facilities and business records maintained by the operator to ensure that the obligations to the City, its customers, the agency, and the board are carried out.~~

~~(b) Operator shall maintain all records related to the franchise for the term of the franchise, and all such records shall stay with the system in the event of a transfer.~~

Sec. 851-706. Limitation on Ownership by Certain Parties.

(a) No officer (whether elected or appointed), employee, or agent of the City or of Marion County, Indiana, or member of his immediate family (meaning spouse or children), whose official duties require him to administer, enforce, or regulate the business of the operator or the terms or conditions of the franchise agreement, shall, during the term of the franchise or until after a period of one (1) year following the termination of his duties as such officer, employee, or agent, own, either directly or indirectly, any beneficial interest in the business of the operator.

(b) Without limiting the generality of the description of persons or entities described in subsection (a), the limitation set forth in this section shall apply to members of the board, members of the council, the officers, employees, and agents of the council and of the agency.

Sec. 851-707. Performance evaluations.

The City shall conduct regular performance evaluations at least every three (3) years during the term of the franchise to determine operator's compliance with the terms of his franchise agreement and the code.

Sec. 851-708. Reimbursement of City's expenses.

Operator shall reimburse City its expenses for conducting the franchise audits described in Sec. 851-601 and the performance evaluations described in Sec. 851-708.

ARTICLE VII. TERMINATION OF FRANCHISE

Sec. 8-1/2-111. Term and renewal of franchise.

~~—(a) Any franchise contract granted pursuant to Article II hereof shall take effect and be in force from and after its effective date for a term specified in the franchise contract not to exceed fifteen (15) years upon the conditions set forth in this chapter and the franchise contract, except that any franchise awarded prior to the date stated in section 8-1/2-4 shall be in force from and after its effective date for such term as may be provided in said franchise contract.~~

~~—(b) A franchise contract may be renewed in accordance with the procedures and standards specified in Section 626-546 of the Act (47 U.S.C. Section 626-546). Such renewal procedures and standards shall apply to any franchise contract, notwithstanding any contract provision to the contrary and regardless of when such franchise was granted.~~

~~—(c) Any requirement for public notice of any proceeding conducted pursuant to Section 626-546 of the Act (47 U.S.C. Section 626) shall be given in accordance with I.C. 5-3-1 or other applicable provision of state law and shall also be given by the cable operator who's franchise is being considered for renewal on at least one channel of the cable system pursuant to rules for such notice established by the board.~~

~~—(d) If the city conducts a proceeding authorized by Section 626(a)-546(a) of the Act (47 U.S.C. Section 626(a)), the board shall, at the completion of such proceedings, notify the cable operator of the following:~~

~~—(1) The date such proceedings were completed;~~

~~—(2) Whether the board is requesting the operator to submit a proposal for a renewal, and if so, setting forth the requirements for such a proposal;~~

~~—(3) The date by which a renewal proposal shall be submitted by the operator.~~

~~—(e) The decision to grant or deny a proposal for renewal shall be made by the board, subject to approval by the council.~~

Sec. 8-1/2-112. Penalties and forfeiture of franchise.

~~—(a) For certain violations of the provisions of this chapter, civil penalties shall be chargeable to the security fund as follows:~~

~~—(1) For failure to complete construction and installation of the system and commencement of providing service in accordance with section 8-1/2-41(b), unless the council specifically approves the delay by~~

~~resolution because of reasons beyond the control of the operator, the operator shall forfeit two hundred dollars (\$200.00) each day or part thereof that the failure continues.~~

~~—(2) For failure to provide data and reports as requested by the council or board or required by this chapter, the operator shall forfeit fifty dollars (\$50.00) each day or part thereof that the failure continues.~~

~~—(3) For failure to pay the franchise fee when due pursuant to section 8 1/2-80, the franchise holder shall forfeit two hundred fifty dollars (\$250.00) each day or part thereof that the failure continues.~~

~~—(4) For persistent failure to comply with such reasonable requests and recommendations as may be made by the council and board pursuant to authority granted by this chapter, the franchise holder shall forfeit fifty dollars (\$50.00) each day or part thereof that the failure continues.~~

~~—(5) For failure to restore the cash deposit, as required in section 8 1/2-82, within the specified ten (10) days, the entire security fund deposit remaining shall be forfeited.~~

~~—(b) If the civil penalties of subsection (a) are inapplicable or fail to secure compliance, in addition to all other rights and powers retained by the city by virtue of this chapter and the franchising contract, or otherwise, the city shall have the right to terminate and cancel the franchise and all rights and privileges of the operator in the event that the operator:~~

~~—(1) Violates any material provision of this chapter, the franchising contract, or any rule, regulation, order or determination of the city, the board or the council made pursuant to this chapter, except where such violation is cured within a reasonable time or where such violation, other than of section 8 1/2-87, is without fault or through excusable neglect;~~

~~—(2) Attempts to evade any of the provisions of this chapter or the franchising contract or practices any fraud or deceit upon the city; or~~

~~—(3) Fails to meet the construction schedule as established in the franchising contract or as modified by the board at the end of any two (2) years, unless such failure is without fault or through excusable neglect.~~

~~—(c) Termination and cancellation may be effected only by ordinance of the council, subject to the ordinary veto power of the mayor, and shall in no way affect any other of the city's rights under this chapter, the franchising contract, or any provision of law. Any finding of fact, determined by the council under this section, shall be conclusive; however, before the franchise may be terminated and canceled under this section, the operator must be provided with thirty (30) days' notice and an opportunity to be heard before the council or its designated committee.~~

Sec. 8 1/2-113. Removal of system.

~~—Upon expiration or forfeiture of the franchise, as provided for in this chapter, the council shall have the right to determine whether the operator shall continue to maintain and operate the cable television system pending the decision of the city as to the future maintenance and operation of the system.~~

Sec. 851-709. Termination of a portion of a special cable franchise.

(a) The geographic area of a special cable franchise shall be the separate limited cable service areas described in the franchise agreement, including expansions approved under Sec. 851-253; provided, that ninety (90) days after a private cable service contract to serve a separate limited cable service area expires by its terms or is terminated, such area shall no longer be included in the geographic area of such franchise unless extended within such ninety-day period. Provided, however, if the termination of such private cable service contract is the result of foreclosure, bankruptcy or insolvency of the owner or manager of the multiple-unit dwellings served under such private cable service contract and such dwellings are being managed under judicial supervision, said ninety-day period shall be tolled until such dwellings are transferred to a new owner or manager.

(b) Whenever under the terms of subsection (a) a separate limited cable service area ceases to be within the geographic area of a special cable franchise, the operator within thirty (30) days shall certify to the franchise administrator of the cable franchise board the description of such separate limited cable service area.

Sec. 851-710. Removal of System.

Upon expiration or forfeiture of the franchise, the City shall have the right to order the operator to continue to maintain and operate the system or limited cable system pending operator's replacement.

ARTICLE VIII. RULES OF CONSTRUCTION

Sec. 851-711. Reserved Reservation of City rights; franchise limitations.

(a) No privilege or power of eminent domain is bestowed by the grant of a franchise under this chapter; the grant of franchise does not confer any rights other than as expressly provided by this chapter or the franchise agreement.

(b) The franchise and the right it grants to use and occupy the public ways shall not be exclusive and do not explicitly or implicitly preclude the issuance of other franchises to operate cable systems or other communications systems within Marion County, Indiana, affect the City's right to authorize use of public ways by other persons or entities to operate cable systems or other communications systems or for other purposes as it determines appropriate for the same or a different franchise territory, or affect the City's right to itself construct, operate or maintain a cable system or other communications system, with or without a franchise as permitted by federal or state law.

(c) By its acceptance of the franchise, the operator agrees to comply with all requirements of the cable ordinance (Chapter 851 and 285 of the code) and any validly enacted amendments to the ordinance during the term of the franchise.

(d) All rights and privileges granted pursuant to this chapter are subject to the valid exercise of the police powers of the City and its rights under applicable laws and regulations to regulate the operator and the construction, operation, or maintenance of its system, including but not limited to, the right to adopt and enforce additional regulations as the City shall find necessary in the exercise of its police powers; the right to adopt and enforce applicable zoning, building and permitting and safety codes; the right to adopt ordinances and regulations relating to equal employment opportunities; and any right the City has to adopt and enforce laws, ordinances and regulations including cable television consumer protection laws and service standards pursuant to the Act.

Sec. 8 1/2-122. Severability.

~~—Should any provision (section, paragraph, sentence, clause or any other portion) of this chapter be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adoption of this chapter. To this end the provisions of this chapter are severable.~~

Sec. 851-712. Public records standard.

Public records generated under this chapter shall be available in accordance with the provisions of IC 5-14-3.

SECTION 2. Chapter 8½ of the Code of Indianapolis and Marion County, Indiana, is hereby superseded and repealed as of the effective date of this ordinance.

SECTION 3. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 481, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 481, 1995 on August 14, 1995. The proposal authorizes the lease of office space for the Franklin Township Assessor at 4531 Independence Square. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Smith, for adoption. Proposal No. 481, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

3 NOT VOTING: *Brents, Coughenour, Giffin*

Proposal No. 481, 1995 was retitled SPECIAL RESOLUTION NO. 77, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 77, 1995

A SPECIAL RESOLUTION authorizing the lease of office space for the Franklin Township Assessor at 4531 Independence Square, Indianapolis, Indiana.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Franklin Township Assessor desires to lease office space located at 4351 Independence Square, Indianapolis, Indiana 46203.

SECTION 2. The property at 4351 Independence Square, Indianapolis, Indiana is owned by Duffers Realty, an Indiana Partnership, whose sole principals are Larry J. Sablosky, Richard L. Kidwell, David M. Fagin, Dennis A. Stephenson, and Daniel E. Stephenson. Said property is currently being leased by Franklin Township of Marion County through a lease-purchase agreement pursuant to IC 39-1-10.

SECTION 3. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the need for office space and hereby determines that the office space described in Section 1 is needed.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 482, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 482, 1995 on August 14, 1995. The proposal approves a public purpose grant in the amount of \$65,000 to Indiana University at Indianapolis for the purpose of financing educational access cable television programming. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Borst, for adoption. Proposal No. 482, 1995 was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Black, Borst, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

5 NOT VOTING: *Boyd, Brents, Coughenour, Franklin, Giffin*

Proposal No. 482, 1995 was retitled SPECIAL RESOLUTION NO. 78, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 78, 1995

A SPECIAL RESOLUTION approving a public purpose grant to Indiana University at Indianapolis in the amount of \$65,000 for the purpose of financing educational access cable television programming.

WHEREAS, the City-County Council for the City of Indianapolis and Marion County proposes to authorize a public purpose grant in the amount of \$65,000 to Indiana University at Indianapolis for the purpose of financing educational access programming over the educational access channels of the two franchised cable television systems within Marion County (the Grant); and

WHEREAS, Section 2-428 of the Code of Indianapolis and Marion County, Indiana, requires that all public purpose grants shall be subject to appropriation by the City-County Council; and

WHEREAS, Section 4.01(c) of City-County Fiscal Ordinance No. 88, 1994, Annual Budget and Tax Levies for the Consolidated City of Indianapolis and for Marion County, Indiana, requires that sums appropriated therein for public purpose grants shall not be spent until the City-County Council of the City of Indianapolis and of Marion County, Indiana, approves the amount and identity of the recipient of each grant; and

WHEREAS, the Council now finds that the Grant should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Grant in the amount of \$65,000 to Indiana University at Indianapolis is hereby approved. No grant funds shall be used in whole or in part to fund any program which endorses a political candidate or which attempts to promote or influence legislation.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 485, 1995. Councillor Giffin reported that the Public Works Committee heard Proposal No. 485, 1995 on August 24, 1995. The proposal authorizes the lease by the Indianapolis Department of Parks and Recreation of approximately 35 acres of land formerly known as the Riverside Nursery to R. N. Thompson & Associates, Inc. for the construction, development, and management of a golf academy. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor Franklin, for adoption.

Councillor Gilmer moved that Proposal No. 485, 1995 and Proposal No. 486, 1995 be tabled until the next Council meeting; he needs more information on the proposals. Councillor Hinkle seconded the motion.

Councillors Short and Franklin voiced their opposition to Councillor Gilmer's motion.

Councillor Hinkle stated that he believes that sometime in the future the taxpayers will have to pay some of the cost for this golf academy.

Councillor McClamroch said he opposes the motion to table because if construction is to begin this fall, the proposal needs to be passed tonight.

Councillor Gilmer's motion to table failed by a voice vote.

Councillor Hinkle asked Leon Younger, Director, Department of Parks and Recreation, what happens if R.N. Thompson & Associates decides to abandon this project. Mr. Younger replied that the Council would decide if the City should keep it as a golf academy or use it for some other park purpose.

Proposal No. 485, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
3 NAYS: *Gilmer, Gray, Hinkle*
0 NOT VOTING:

Proposal No. 485, 1995 was retitled SPECIAL ORDINANCE NO. 11, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 11, 1995

A SPECIAL ORDINANCE authorizing the lease by the City of Indianapolis Department of Parks and Recreation of approximately thirty-five (35) acres of land formerly known as the Riverside Nursery to R.N. Thompson & Associates, Inc. for the construction, development and management of a golf academy.

WHEREAS, the Board of Parks and Recreation of the City of Indianapolis, Indiana (the "Board"), being the governing body of the Department of Parks and Recreation of the City of Indianapolis, Indiana, has determined that it would be in the best interest of the citizens of the City of Indianapolis, Indiana ("City") to construct and develop a golf academy on the property bordered by Cold Springs Road, 38th Street, White River Parkway and I-65, formerly known as the Riverside Nursery ("Golf Academy"); and

WHEREAS, the Board and R.N. Thompson & Associates, Inc. ("Thompson") have negotiated the terms by which Thompson would construct, develop and manage the Golf Academy, and encompassed such terms in the proposed Form of Lease which is in substantially final form and attached hereto as Exhibit "A" (the "Lease"); and

WHEREAS, Ind. Code 36-1-11-3 requires that such Lease be approved by the City-County Council of the City ("Council"); now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The Council hereby approves the construction, development and management of the Golf Academy by Thompson pursuant to the terms of the Lease which is in substantially final form and attached hereto and incorporated herein.

SECTION 2. The Council hereby delegates to the Board the authority to finalize and execute the Lease on behalf of the City.

SECTION 3. This Resolution shall be effective upon adoption and compliance with Ind. Code 36-3-4-14.

APPENDIX A
INDIANAPOLIS GOLF ACADEMY LEASE

THIS LEASE AGREEMENT, effective as of July __, 1995, by and between the Department of Parks and Recreation of the City of Indianapolis (the "Department"), and R. N. Thompson & Associates, Inc. (the "Lessee").

WITNESSETH:

WHEREAS, the City of Indianapolis (the "City"), in the past owned and operated a nursery, through its Department of Parks and Recreation, and desires to now use the land on which the nursery had been located as a public golf training facility (the "Golf Academy"); and

WHEREAS, the Department has duly advertised for proposals and received proposals for the lease of said land for the purpose of developing the Golf Academy; and

WHEREAS, the proposal of the Lessee was determined to be in the best interest of the City.

NOW THEREFORE, in consideration of the mutual covenants and provisions contained herein, the Department and the Lessee agree as follows:

1. DEFINITIONS

- A. The term "Commencement Date" shall mean July __, 1995.
- B. The term "Finance Term" shall mean fifteen (15) years from the Commencement Date.
- C. The term "Golf Academy" refers to all buildings, site improvements and other existing improvements and future improvements made to the Premises for the operation of a golf training, practice and playing facility located entirely upon the property as described in Exhibit A.
- D. The term "Gross Receipts" shall mean the gross sales of green fees, golf lessons, concessions and driving range whether such sales be evidenced by check, credit, charge account or otherwise. Gross Receipts shall not include (i) the amount of any sales, use or gross receipts tax imposed by any federal, state, municipal or other governmental authority directly, (ii) the sales tax collected from customers, provided the amount thereof is added to the selling price and absorbed therein and paid by the Lessee to such governmental authority or (iii) drafts returned to the Lessee because of nonsufficient funds. No franchise or capital stock tax and no income or similar tax based upon income or profits as such shall be deducted from Gross Receipts.
- E. The term "Original Term" shall mean the period of time from the Commencement Date to December 31, 2000.
- F. The term "Phase I" shall mean an indoor training facility and driving range as further described in Exhibit B.
- G. The term "Phase II" shall mean a nine hole training course as further described in Exhibit B.
- H. The term "Premises" refers to the real property described in Exhibit A and to any improvements made thereto from time to time by the Lessee during the term of this Lease.
- I. Following the completion of Phase I, the term "Termination Payment" is hereby defined to mean \$2,500 multiplied by the number of months remaining in the Finance Term after termination of the Lease. Following the completion of Phase II, the Termination Payment shall be as set forth on Exhibit D depending on the month of termination. If the termination occurs after completion of Phase I and before the completion of Phase II, then the Termination Payment shall be the fair market value of the improvements to the Premises at the date of termination as determined by the average of two appraisals, one by a qualified real estate appraiser selected by the Department and one real estate appraiser selected by the Lessee. The appraisals shall not include the value of the unimproved land.

2. PURPOSE

The Department hereby grants unto the Lessee and the Lessee hereby accepts from the Department, a Lease of designated space as set forth in Exhibit A for the purpose of developing and operating:

- (a) a driving range; and
- (b) a training golf course; and
- (c) other facilities as appropriate to operate the Golf Academy.

3. OPTION TO RENEW

Subject to and upon the conditions set forth herein, the Original Term of this Lease may be modified or extended only upon the mutual, written agreement of the Department and the Lessee.

4. USGA PARTICIPATION

If the Department and the Lessee enter into a written agreement with the United States Golf Association ("USGA") whereby the USGA would assist in the development and programming for the Golf Academy, then this Agreement shall be assigned or terminated and replaced with a subsequent agreement mutually agreeable to the Department and the Lessee that provides for the lease of the Golf Academy to the Indianapolis Junior Golf Foundation ("Foundation") and the employment of the Lessee by the Foundation as the construction contractor for and manager of the Golf Academy, all in accordance with the terms sheet attached as Exhibit E.

5. GOLF ACADEMY OPERATION

The Lessee shall construct and operate the Golf Academy subject to plans and permits acceptable to the parties and in accordance with Exhibit B to this Agreement. Phase I shall be completed by December 31, 1995 and Phase II shall be completed by December 31, 1996.

6. RENT

Commencing on the Commencement Date, the Lessee shall pay the Department, in the manner, upon the conditions and at the times hereinafter set forth during each year of the Original Term, a sum equivalent to ten percent (10%) of the first \$500,000 of Gross Receipts, seven percent (7%) of Gross Receipts greater than \$500,000 and less than \$750,000 and five percent (5%) of all Gross Receipts equal to or in excess of \$750,000 (hereinafter referred to as "Rent"). Rent shall be due and payable fifteen (15) days following the last day of each calendar month, based on the Gross Receipts generated during the prior calendar month.

7. PAYMENT OF FEES

The Lessee shall pay all rentals, fees and charges required by this Agreement to the following:

Indianapolis Department of Parks and Recreation
1426 W. 29th Street
Indianapolis, Indiana 46208-4999
Attention: Golf Services Division

In the event the Lessee fails to pay any of the rentals, fees or charges as required to be paid under the provisions of this Lease agreement within ten (10) days after same shall become due, interest at the rate of 1% per month shall accrue against the delinquent payment(s) until same are paid. Interest shall be charged from the date payment is due. This provision shall not preclude the Department from terminating this Lease Agreement for default in the payment of rentals, fees or charges, or from enforcing any other provision contained herein.

8. FINANCIAL REPORTS

The Lessee shall furnish the Department a statement of the Lessee's Gross Receipts within fifteen (15) days following the last day of each calendar month. Within ninety (90) days following the end of each fiscal year, the Lessee, at its sole cost and expense, will furnish the Department with "reviewed financial statements" (as such term is defined by the American Institute for Certified Public Accountants) for such Year which shall be prepared in accordance with generally accepted accounting principles.

9. INSPECTION OF RECORDS

The Lessee shall keep and maintain at the Premises, or its home office, full and accurate books of account, records and all pertinent data related to the operation of the Golf Academy. The Lessee shall make available for the Department's inspection sales and use tax returns and records. Such books of account, records and other pertinent data shall be kept by the Lessee for a period of Ten (10) years following the current operating year. The Department shall be entitled, upon reasonable notice not exceeding thirty (30) days during the Original Term and within sixty (60) days after the expiration or termination of this Lease, to inspect and examine all of the Lessee's books of account, records and other pertinent data. The Lessee

shall cooperate fully with the Department in making said inspection. The Department, at its sole cost and expense, shall also be entitled to conduct one or more independent audits of the Lessee's books of account, records or other pertinent data to determine the Lessee's Gross Receipts by a Certified Public Accountant of its choosing. Such audits shall be limited to the determination of Gross Receipts and shall be conducted, unless otherwise agreed, during normal business hours at the Premises or the Lessee's home office. In the event said audit shows that there is a deficiency in the payment of any rent, said deficiency shall be immediately due and payable as hereinafter provided. The cost of the Department's audit shall be paid by the Department unless such audit shows that the Lessee understated Gross Receipts by more than five percent (5%), in which case the Lessee shall pay all of the Department's costs of said audit. The Department hereby agrees to keep all information from such statements, inspections or audits confidential and shall not, unless required by law, disclose any of said information to any third parties other than to carry out the purposes of this Lease.

10. INSPECTION OF PREMISES BY THE DEPARTMENT

The Department shall have the authority and right to make periodic inspections of all of the leased Premises, equipment and operations during the normal operating hours thereof to determine if such are being maintained in a neat and orderly condition. Such periodic inspections may also be made at the Department's discretion to determine whether the Lessee is operating in compliance with the terms and provisions of this Agreement. It is understood by the Department and the Lessee that maintenance and appearance of the Golf Academy is extremely important. Consequently, should the Department determine at any time that the overall maintenance and appearance of the Golf Academy is no longer in substantial compliance with the quality standards set forth in Exhibit C (the "Quality Standards"), the Department will provide notice in writing to the Lessee. The Lessee will be deemed to be in default of this Agreement if the Lessee fails to cure the concerns detailed in the written notice within thirty (30) days, or if the concerns are of such a nature that they cannot be cured within said thirty (30) day period, the Lessee fails to commence to cure such concerns or fails thereafter to proceed to cure such concerns with all possible diligence.

11. MAINTENANCE OF IMPROVEMENTS

The Lessee shall, at its sole cost and expense, keep and maintain the Premises, including all building and improvements of every kind that may be a part thereof, and all appurtenances thereto in good and neat order, condition and repair, and except as specifically provided herein, restore and rehabilitate any improvements which may be damaged or destroyed by fire, casualty, or any other cause. The Department shall not be obligated to make repairs or replacements of any kind, nature, or description whatsoever to the Premises or any buildings or improvements thereon. The Lessee shall comply with and abide by all federal, state, county, municipal and other governmental statutes, ordinances, laws and regulations affecting the Premises, the improvements thereon or any activity or condition on or in the Premises.

12. USE

The Lessee shall use the Premises for no unlawful purpose or act, and shall comply with and obey all laws, regulations, including zoning and sign regulations, or orders of any governmental authority or agency. The Lessee shall not use, or permit the Premises (or any part thereof), to be used for any purpose or purposes other than those for which the Premises are hereby leased. The Lessee shall not commit, or suffer to be committed any waste on or about the Premises, or create any nuisance.

13. GOLF ACADEMY FACILITIES

- A. Any and all plans for construction and installation by the Lessee are subject to the Department's approval. The Lessee shall bear the total cost associated with such construction, installation and use. It is the intent of the parties that the Lessee shall be responsible for obtaining all necessary permits and the Department covenants to use its best efforts to assist the Lessee in obtaining such permits. All construction shall be done in accordance with applicable federal, state and local laws and ordinances.
- B. The Department shall give the Lessee notice to proceed with construction of the Golf Academy after its review and approval of (i) the final plans and specifications for the construction of the Golf Academy and (ii) the tree preservation plan. After such notice to proceed is given, any changes to the tree preservation plan or any material change to the design, structure or any pertinent feature of the Golf Academy to be constructed by or for the Lessee shall be subject to such change only upon the mutual consent of the Department and the Lessee.

- C. The Lessee agrees to maintain said Premises in the same condition, order and repair as at the commencement of operations, after improvements, excepting only reasonable wear and tear arising from the use thereof under this Agreement.
- D. The Lessee shall maintain all utilities within the leased Premises including but not limited to drains, sewer pipes, air conditioning, plumbing and electrical lines, services, outlets, meters to monitor utility usage, except as otherwise maintained by the electric, gas and water utility companies. Further, the Lessee shall be responsible for maintenance, repair and restoration of its property within all utility easements.

14. MARKETING

A Marketing Plan and Marketing Budget shall be submitted at the beginning of each year for the Department's non-binding review. The Lessee shall obtain prior approval of the Department before using the name of the Department or the City in any promotional materials.

15. GENERAL MANAGER AT GOLF ACADEMY

The Lessee shall hire and assign a full-time qualified, experienced general manager for its operations at the Golf Academy who shall be a licensed Class A PGA of America golf professional. Scott Morris shall be the initial general manager. The general manager may not be changed without the prior written consent of the Department, which shall not be unreasonably withheld. Said general manager will be physically available during reasonable operation hours. During the hours when the manager is not on duty or available, there shall be a designated assistant manager.

16. MINIMUM HOURS OF OPERATION

The Golf Academy's days and hours of operation shall at a minimum equal those of the other municipal golf courses from March 1 through October 31. For the period November 1 through March 1, the Golf Academy's days and hours of operation shall be those submitted by the Lessee prior to the beginning of operations and each January 1, thereafter and approved by the Department.

17. RATES AND PRICES

Maximum greens fees (when applicable) and driving range fees (collectively, the "Primary Fees") shall be established by the Board of Parks and Recreation by December 31st of the preceding year. Initially, the fees shall be Four Dollars and Seventy-Five cents (\$4.75) for a bucket of golf balls at least 8 inches high and 8 1/2 inches in diameter (approximately 55 golf balls on average) for use on the driving range.

The initial rates for group lessons, private lessons, golf carts, pull carts, rental clubs, memberships, merchandise sold in the golf shop and club repair (collectively, the "Secondary Fees") are to be proposed by the Lessee and approved by the Department. After the initial year, increases in the Secondary Fees shall be subject to prior approval by the Department if, and only if, such Secondary Fees exceed the amount charged during the prior year by more than 20%. Price lists of all merchandise are not required -- only the prices for balls, gloves, and hats must be submitted.

All rates and charges shall apply until new rates and charges are determined effective by the Department pursuant to the provisions set forth in this Section 16.

18. QUALITY OF THE LESSEE'S SERVICES

- A. The Lessee shall conduct its operations according to the Quality Standards in an orderly manner and not annoy, disturb or be offensive to customers, patrons, or others in the immediate vicinity of such operations.
- B. The Lessee shall control the conduct, demeanor and appearance of its officers, members, employees, agents and representatives, and upon objection of the Department concerning the conduct, demeanor or appearance of any such person, the Lessee shall immediately take all necessary steps to correct the cause of such objection. The Lessee's employees in contact with the public shall perform their duties in an efficient and courteous manner, as prescribed by the Quality Standards.

- C. The Lessee shall not conduct any business or activity not specifically authorized by this Agreement, unless approved in advance by the Department.
- D. The Lessee and the Department agree to meet at a minimum on a quarterly basis in order to review Golf Academy operations, problems and other issues relating to the Golf Academy.

19. ASSURANCE OF ADHERENCE TO QUALITY STANDARDS

As set forth throughout this Agreement, the Lessee has agreed to accomplish the goals and objectives of the Golf Academy by providing quality, reasonably priced golf services to youth and adults. Exhibit B details the operation and facilities to be constructed to provide these services. The Lessee understands the importance of maintaining and providing to the public top quality service. Consequently, the Lessee shall maintain the highest standards in adhering to these goals. Furthermore, the Department reserves the right to conduct any reasonable surveys, questionnaires, inspections, etc. in order to judge how the public or other third parties view various aspects of the Golf Academy within the parameters set forth in the Quality Standards.

If the surveys, questionnaires, inspections, etc. recognize material shortcomings or deficiencies in any aspect of services and/or facilities as required by the Quality Standards, the Department will notify the Lessee, in writing, of such deficiencies. The Lessee will have thirty (30) days to respond with appropriate corrective action, demonstrating the Lessee's substantial compliance with the Quality Standards. In the event the Lessee fails to respond or the response is reasonably deemed to be inadequate, the Department shall have the right to terminate this Agreement in accordance with the provisions specified in Clause 36.

20. FACILITIES AND SERVICES PROVIDED BY THE DEPARTMENT

The Department shall, at its cost, provide the following:

- (a) The Real Estate, as existing.
- (b) Land Title Survey and current appraisal of the existing unimproved Real Estate.
- (c) Water facilities as existing.
- (d) Sewage collection facilities as existing.
- (e) Other utilities as existing.
- (f) Any environmental surveys conducted at the option of the Department with the exception of a Phase I environmental survey which is to be paid for by the Lessee.

The Department makes no warranties about the current condition of the Real Estate, and the Lessee agrees to take the Real Estate "as is".

21. FACILITIES, EQUIPMENT AND SERVICES PROVIDED BY THE LESSEE

The Lessee, at its sole cost, shall provide and maintain the leased Premises, including but not limited to:

- (a) Janitorial service within the Premises and provision of waste removal from the Premises.
- (b) All construction and maintenance.
- (c) Fire sprinkler system, as required.
- (d) Complete air handling system, as required.
- (e) Connection, maintenance, metering and use of utilities.
- (f) All operating equipment on the leased Premises.
- (g) All interior and exterior maintenance and repair of Premises.
- (h) Pest control within and around operational areas of the Golf Academy.

- (i) Garbage and trash collection from the Golf Academy.
- (j) Public rest rooms.
- (k) Any other equipment necessary to operate the Golf Academy.

22. EQUIPMENT INSTALLED BY THE LESSEE

- A. All equipment, furnishings, signage and advertising installed by the Lessee shall be in keeping with the appropriate standards of decor at the Golf Academy and consistent with the plans outlined in Exhibit B. Any deviations must be approved in advance by the Department.
- B. The Lessee agrees that all equipment, furnishings and improvements provided shall meet the requirements of all applicable building, fire, pollution and other related codes.

23. SECURITY

The Department makes no warranties as to any obligation to provide security for the Golf Academy. The Lessee shall provide the required fencing around the perimeter of the Golf Academy as provided for in its proposal to the Department and any additional security deemed appropriate in the Lessee's sole determination shall be provided at the Lessee's sole expense.

24. QUIET ENJOYMENT OF LEASED PROPERTY

The Department covenants and agrees that so long as no default exists in the performance of the Lessee's covenants and agreements contained herein, the Lessee shall peaceably and quietly hold and enjoy the leased Premises and all parts thereof for that portion of the Original Term free from eviction or disturbance by the Department or any person claiming under, by or through the Department.

25. TAXES ON THE LESSEE'S BUSINESS AND PROPERTY

The Lessee shall pay and discharge when due all taxes and charges imposed upon the conduct of its business on or about the Premises and all property taxes, if any, imposed upon its fixtures, equipment, merchandise and other personal property on or about the Premises.

26. PAYMENT OF UTILITIES

The Lessee shall pay for all water, gas, electric, telephone and other public utilities of every kind furnished to the Premises for the exclusive use by the Lessee throughout the Original Term and all other costs and expenses of every kind whatsoever of, or in connection with the use, operation and maintenance of the Premises and all activities conducted thereon and to indemnify and hold harmless the Department from any liability resulting from any non-payment of any such services.

27. NON-DISCRIMINATION

The Lessee shall not discriminate against any employee, or applicant for employment, in the performance of this Agreement, with respect to hire, tenure, terms, conditions or privileges of employment, because of race, religion, color, age, sex, handicap, national origin, ancestry, disabled veteran or Vietnam era veteran status.

28. LIABILITY FOR DAMAGE OR INJURY

The Department shall not be liable for any damage or injury which may be sustained by any party or persons on the Premises other than the damage or injury caused by the negligence or intentional actions of the Department, its agents and employees while in the course of the Department business.

29. INSURANCE COVERAGE

The Lessee shall procure and maintain in force at all times during the term of this Lease public liability, property damage and workmen's compensation insurance against loss, cost and expense by reason of injury to or the death of persons or damage to or the destruction of property arising out of or in connection with the occupancy or use of the Premises by the Lessee. Said insurance shall be carried with established

insurers as approved by the Department (such approval not to be unreasonably withheld), and shall have the following minimum limits:

- (a) Property Damage - one hundred percent (100%) of full replacement cost of all improvements to the Premises, with loss payable to the Lessee.
- (b) Commercial General Liability - for personal injury and property damage covering the Premises and its appurtenances in the amount of \$5,000,000. Such insurance shall insure both the Department and the Lessee, and shall be so endorsed as to create the same liability on the part of the insured as though separate policies had been written for the Department and the Lessee, provided however, that in no event shall total insurance proceeds exceed required policy limits.
- (c) Umbrella/Blanket Liability - notwithstanding anything to the contrary contained in this Clause 29, the Lessee's obligations to carry the insurance provided for herein may be provided with the coverage of so-called blanket policy or policies of insurance carried and maintained by the Lessee.
- (d) Workmen's Compensation according to the statutory limits as provided in IC 22-3-5-1 et seq. and in the Indiana Workmen's Occupational Diseases Act, IC 22-3-7-1 et seq.
- (e) The Lessee shall maintain in effect at all times a policy of liquor liability insurance covering sales and serving of alcoholic beverages in an amount not less than \$1,000,000.

Said insurance policies must be maintained in full force and effect at the Lessee's sole expense throughout the term of this Lease and any policy or policies concerning subparagraphs (a), (b), (c) and (e) above must contain the following provisions:

"The City of Indianapolis and the County of Marion are additional insured for all coverage provided by this policy and shall be fully and completely protected by the policy, subject to policy terms, conditions, limitations and exclusions contained therein for risks and for every injury, death, damage or loss of any sort sustained by any person, organization, or corporation in connection with [the Lessee's/Insured's] acts/omissions, the acts or omissions of [the Lessee's/Insured's] employees, agent, servants and invitees while upon or during their use or occupation of the Golf Academy, as well as any activity performed by [the Lessee/Insured], his employees, agents, servants and invitees by virtue of the rights granted to [the Lessee/Insured] by an Agreement with the City of Indianapolis, by and through the Department and its Board of Parks and Recreation."

"The coverage provided by this policy to [the Lessee/Insured], the City of Indianapolis or Marion County or any other named insured shall not be terminated, reduced or otherwise changed in any respect without providing at least thirty (30) days written notice to the City of Indianapolis at the following address: Corporation Counsel, Legal Division, 200 East Washington Street, Suite 1601, Indianapolis, Indiana 46204."

30. EVIDENCE OF INSURANCE

The Lessee shall furnish the Department with certificates of insurance referred to in the foregoing paragraphs of Clause 29 evidencing such coverage prior to the Commencement Date and furnish all renewals thereof. At the request of the Department, the Lessee shall provide certified copies of the insurance policies.

31. INDEMNIFICATION OF THE DEPARTMENT

The Lessee shall indemnify, defend, exculpate, and hold harmless the Department, its Board, the Consolidated City of Indianapolis, County of Marion, and all their officials, employees or agents from any liability due to loss, damage, injury or other casualties of whatsoever kind or by whomsoever caused to the person or property of anyone on or about the Golf Academy or resulting from the performance or breach of any of the terms of this Lease or from the installation, existence, use, maintenance, condition, repairs, alterations or removal of any equipment or material, arising from any and all acts or omissions of the Lessee or his employees, contractors, agents, and invitees. The Lessee also agrees to pay all reasonable expenses and attorneys' fees incurred by or imposed on the City of Indianapolis, County of Marion, the Department, or any of their officials, agents or employees in connection herewith in the event that the Lessee shall default under the provisions of this Lease. It is specifically agreed by and between the parties executing this Lease that it is not intended by any of the provisions of any part of this Lease to establish the public or any member thereof, as a third party beneficiary hereunder, or to authorize anyone not a party to

this Lease to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Lease.

32. DAMAGE OR DESTRUCTION TO IMPROVEMENTS

The damage, destruction or partial destruction of any building or other improvement which is a part of the Golf Academy shall not release the Lessee from any obligation hereunder, except as hereinafter expressly provided, and in case of damage to or destruction of any such building or improvement, the Lessee shall, at its sole expense, promptly repair and restore the same to a condition as good as, or better, than that which existed prior to such damage or destruction.

33. THE LESSEE'S CONSTRUCTION

The Department hereby agrees to deliver possession of the Premises to the Lessee on the effective date of this Lease, and the Lessee agrees that promptly after delivery of possession of the Premises by the Department, to commence and proceed with due diligence to make all improvements to the Premises in accordance with Exhibit B, and install on the Premises all fixtures and other equipment which may be necessary or proper in the operation of the Lessee's business. Lessor's approval of subsequent improvements after completion of the Golf Academy shall not be unreasonably withheld.

34. LIENS

The Lessee shall keep the Premises free of liens. The Lessee shall keep all of the Premises and every part thereof free and clear of any and all mechanic's, materialmen's and other liens for or arising out of or in connection with work or labor done, services performed, or material or appliances used or furnished for or in connection with any operations of the Lessee, any alteration, improvement, or repairs or additions which the Lessee may make or permit or cause to be made, or any work or construction by, for or permitted by the Lessee on or about the Premises, or any obligation of any kind incurred by the Lessee, and at all times promptly and fully to pay and discharge any and all claims of liens and suits of other proceedings pertaining thereto. If the Lessee desires to contest any such lien, it shall notify the Department of its intention to do so within ten (10) days after the filing of such lien. In such case the Lessee shall, on demand, protect the Department by a surety bond against such lien and any cost, liability, or damage arising out of such contest. The Lessee shall not be considered in default hereunder until thirty (30) days after the final determination of the validity of such lien(s), within which time the Lessee shall satisfy and discharge such lien(s) to the extent held valid. In the event of such contest, the Lessee shall protect and indemnify the Department against all loss, expense and damage resulting therefrom.

35. DEFAULT BY THE LESSEE

Each of the following shall be deemed a default by the Lessee under this Lease:

- (a) The Lessee's failure to pay any installment of rent when the same becomes due and the failure continues for ten (10) days.
- (b) The Lessee's failure to perform or observe any other covenant, term or condition of this Lease to be performed or observed by the Lessee and if curable, the failure continues for thirty (30) days after notice thereof is given to the Lessee;
- (c) Abandonment of the Leased Premises by the Lessee;
- (d) The filing or execution or occurrence of:
 - (i) A voluntary petition in bankruptcy by the Lessee or an involuntary petition in bankruptcy against the Lessee and the failure of the Lessee, in good faith, to promptly commence and diligently pursue action to dismiss the petition.
 - (ii) A petition against the Lessee seeking a reorganization, arrangement, composition, readjustment, liquidation, dissolution, or other relief of the same or different kind under any provision of the Bankruptcy Act, and the failure of the Lessee in good faith to promptly commence and diligently pursue action to dismiss the petition.
 - (iii) A general assignment for the benefit of creditors by the Lessee.

- (iv) The taking of any part of the leasehold created hereby, or any part thereof, upon foreclosure, levy, execution, attachment or other process of law or equity.

36. THE DEPARTMENT'S REMEDIES

A. Upon the occurrence of any Event of Default the Department may, at its option, in addition to any other remedy or right it has hereunder by law:

- (i) Re-enter the Leased Premises, without demand or notice, and resume possession by an action in law or equity or by force or otherwise and without being liable in trespass or for any damages without terminating this Lease. The Department may remove all persons and property from the Leased Premises and such property may be removed and stored at the cost of the Lessee. The Lessee's liability for damages shall survive such termination; or
- (ii) Terminate this Lease at any time upon the date specified in a notice to the Lessee. The Lessee's liability for damages shall survive such termination. Upon termination such damages recoverable by the Department from the Lessee shall be an amount equal to the cost and expenses paid or incurred by the Department in connection with:
 - (a) Obtaining possession of the Leased Premises;
 - (b) Care, maintenance, and repair of the Leased Premises while vacant;
 - (c) Removal and storage of the Lessee's or other occupant's property;
 - (d) Reletting the whole or any part of the Leased Premises as a golf academy and golf course;
 - (e) Making all repairs, alterations, and improvements reasonably required to be made by the Lessee hereunder and of performing all covenants of the Lessee relating to the condition of the Leased Premises, less the rent and other payments, if any, actually collected and allocable to the Leased Premises or to the portions thereof relet by the Department. The Lessee shall on demand make such payments on a monthly basis.
- (iii) Relet the Leased Premises without the same being deemed an acceptance of a surrender of this Lease nor a waiver of the Department's rights or remedies and the Department shall be entitled to receive from the Lessee such payments as defined in this Clause 36. Any reletting by the Department may be for a period equal to or less than, or extending beyond the remainder of the original term, or for the whole or any part of the Leased Premises, separately or with other premises or for any sum, or to any the Lessee or for any reasonable use the Department deems appropriate.

B. By executing this Lease, the Department and the Lessee acknowledge that a significant investment will be made to the Premises and the Golf Academy and such value will extend beyond the original term of this Lease. The Parties each agree that all improvements made to the Golf Academy shall become and remain a part of the Premises and be included in the definition thereof. Each party further acknowledges that disagreements may occur and litigation to resolve any such disagreement may be costly. At the termination of this Lease, all improvements made to the Premises shall be the property of the Department, free and clear of all liens and encumbrances. The payment of the Termination Payment as provided for in Paragraph C of this clause 36 shall serve as the sole remedy of the Lessee for the termination of this Lease by the Department.

C. Upon termination of this Lease by the Department,

- (i) The Department shall pay to the Lessee or cause to be paid to the Lessee the Termination Payment, less any amount due the Department by the Lessee as provided in paragraph (A) of this Clause 36;
- (ii) The Lessee shall immediately vacate the Premises and the Golf Academy, leaving all property, facilities and improvements on the Premises in place;

The amount of the Termination Payment has been determined by the Department and the Lessee based in part upon (a) the estimated cost of the improvements to be made by the Lessee as

described in Exhibit B, (b) the amount of capital to be invested by the Lessee in such improvements and (c) the amount of debt to be incurred by the Lessee to finance such improvements. No payment of the Termination Payment shall be made by the Department under this Clause 36(c) without proper documentation by the Lessee that the total amount of the Termination Payment is equal to or less than the lesser of (1) the sum of sub-paragraph (b) and the outstanding amount of any debt under sub-paragraph (c) of this Clause 36(C) or (2) the replacement value of the improvements as determined by the average of two appraisals, one performed by a qualified appraiser selected by the Department and one performed by a qualified appraiser selected by the Lessee.

37. OWNERSHIP OF THE LESSEE

The ownership of the Lessee is very important to the Department. Therefore, the Department reserves the right to terminate this Agreement at any time a change of more than 50% of the ownership of the Lessee occurs which has not been approved by the Department.

38. ASSIGNMENT

- A. The Lessee shall not sublet or assign this Lease nor any portion thereof, nor any property associated with this Lease without the prior written approval, which shall not be unreasonably withheld, of the Department. Unapproved subletting or assignment shall be an event of default in accordance with Clause 35 of this Lease and shall be grounds for immediate termination of this Lease.
- B. It is agreed that all terms and conditions of this Lease shall extend to and be binding on assignees, sub-lessees and other successors as may be approved by the Department.
- C. The Lessee shall be liable for acts and omissions by any subcontractor affecting this Lease. The Department reserves the right to directly terminate any sublessee or assignee for any cause for which the Lessee may be terminated.

39. NOTICES

All notices, demands, or other writings required under this Lease shall be deemed to be delivered (whether or not actually received) when deposited in the United States mail, registered or certified and postage prepaid, and addressed as follows:

To Department:	Department of Parks and Recreation 1426 W. 29th Street Indianapolis, Indiana 46208 Attn: Director
To Lessee:	R. N. Thompson & Associates, Inc. 234 S. Franklin Road Indianapolis, Indiana 46219 Attn: President

The address to which any notice, demand, or other writing may be given, made or sent to any party as above provided, may be changed by written notice given by such party as above provided.

40. AMENDMENTS

This Agreement may be amended, modified or supplemented only by a written instrument signed by each of the parties hereto, and any such amendment may pertain to one or more provisions of this Lease without affecting other provisions of this Lease.

41. ATTORNEYS' FEES

If any action at law or in equity shall be brought to recover any rent or other sum due under this Lease, or for or on account of any breach of, or to enforce or interpret any of the covenants, terms, or conditions of this Lease, or for the recovery of the possession of the Premises, the prevailing party shall be entitled to recover from the other party at part of the prevailing party's costs, reasonable attorneys' fees, the amount of which shall be fixed by the court and shall be made a part of any judgment or decree rendered.

42. LEASE MEMORANDUM

This Lease shall not be recorded, however, upon request of either party, the Department and the Lessee shall execute and acknowledge a memorandum or short form lease setting forth the parties, description of the Premises, the original term, options for extension of the original term and any other provisions hereof, the inclusions of which may be mutually agreed upon by the Department and the Lessee, which memorandum or short form lease may be recorded by either party at any time after the execution of this Lease.

43. COOPERATION OF THE DEPARTMENT

The Department hereby agrees to cooperate and assist the Lessee in obtaining all necessary governmental approvals and permits, and other reasonable requests made by the Lessee from time to time.

44. BROKER'S COMMISSION

The Lessee warrants that there are no claims for brokers commission or finders fees in connection with its execution of this Lease, and agrees to indemnify and save harmless the Department from any liability that may arise from such claims, including reasonable attorneys' fees.

45. FORCE MAJEURE

In the event that the Lessee shall be delayed or hindered in or prevented from doing or performing any act or thing required in this Lease by reason of strikes, lock-outs, casualties, acts of God, labor troubles, inability to procure materials or equipment, governmental laws or regulations or other causes beyond the Lessee's reasonable control, then the Lessee shall not be liable or responsible for any such delays and the doing or performing of such act or thing shall be excused for the period of such delay and the period for the performance of any such act shall be extended for a period equivalent to the period of such delay.

46. SEVERABILITY

In the event any provision contained in this Lease is determined invalid by a forum of competent jurisdiction, such provision shall be stricken and all other provisions which can be effected independently of the stricken provision shall remain in full force and effect.

47. RELATIONSHIP OF PARTIES

Nothing contained herein shall be deemed or construed by the parties hereto, nor by any third party, as creating the relationship of principal and agent, or of joint venture, between the parties hereto.

48. SUCCESSORS IN INTEREST

The covenants, agreements, terms, conditions and warranties of this Lease shall be binding upon and inure to the benefit of the Department and the Lessee and their respective successors and assigns, but shall create no rights in any other person except as may be specifically provided for herein.

49. GOVERNING LAW

This Lease has been executed under and shall be governed by the laws of the State of Indiana.

50. HEADINGS

The section headings are inserted as a matter of convenience and for reference and in no way define, limit or describe the scope or intent of this Lease, nor in any way affect this Lease.

51. TIME OF THE ESSENCE

Time is of the essence of this Lease, and of each and every covenant, term and provision hereof.

52. INDULGENCE NOT WAIVER

The indulgence of either Party with regard to any breach or failure to perform any provision of this Agreement shall not be deemed to constitute a waiver of the provision or any portion of this Agreement,

either at the time of the breach or when a failure occurs or at any time throughout the term of this Agreement.

53. APPROVALS AND CONSENTS

All approvals and consents required from or on behalf of the parties to this Agreement shall not be unreasonably withheld.

54. INTERPRETATIONS

Exhibits A, B, C, D & E are attached and made a part of this Agreement. The Exhibits are as follows:

- Exhibit A - Property Description
- Exhibit B - Golf Academy Detailed Plans & Operation
- Exhibit C - Quality Standards
- Exhibit D - Termination Payment Schedule
- Exhibit E - USGA Participation Terms Sheet

55. ENTIRE AGREEMENT

This Lease and the exhibits attached hereto set forth all the covenants, agreements, conditions, understandings and promises between the Department and the Lessee concerning the Premises and the Golf Academy, and there are no covenants, agreements, conditions, understandings or promises, either oral or written, between the parties other than herein set forth. Except as otherwise herein provided, no subsequent alteration, amendment, change or addition to this Lease shall be binding upon the Department or the Lessee unless reduced to writing and signed by them.

EXECUTED on the date first above written.

DEPARTMENT:

LESSEE:

"DEPARTMENT OF PARKS AND
RECREATION OF THE CITY
OF INDIANAPOLIS"

"R.N. THOMPSON & ASSOCIATES"

By: _____
Leon Younger, Director

By: _____
R.N. Thompson, President

Date: _____

Date: _____

APPROVED AS TO FORM AND CONTENT:

BINGHAM SUMMERS WELSH & SPILMAN
as Contract Counsel:

By: _____
Joseph E. DeGross

Date: _____

By: _____
James H. Steele, Jr., City Controller

Date: _____

**EXHIBIT A
PROPERTY DESCRIPTION**

Approximately 35 acres, bounded by 38th Street on the north, White River Parkway West Drive on the east, Interstate 65 on the south, and Cold Springs Road on the west.

EXHIBIT B
GOLF ACADEMY OPERATION & DETAILED PLANS

The Golf Academy will operate as a facility for youth to learn the game of golf and for groups and adults to use as a practice/learning center. It is understood that the entire Golf Academy operation will be fully Americans with Disabilities Act compliant.

The Academy will require improvements to the existing Premises, including but not limited to, the following:

Phase I (to be completed by December 31, 1995)

1. Construction of a clubhouse approximately 14,400 square feet in size that includes a pro shop, concession area, range visibility, pass-through security, and a covered 80 x 20 feet training area with eighteen (18) tee positions, a training video viewing area and a club fitting and repair area. In addition, the facility will include a classroom greater than 600 square feet in area that will include video analysis and at least two (2) golf simulators (which can be leased). While this facility is under construction, the driving range would operate out of a temporary trailer or other suitable structure.
2. Construction of a driving range facility oriented in a north-south direction and related practice tees with at least forty (40) outdoor tee positions. The dimensions of the practice tee area will be approximately 350 yards deep, 150 yards long and 40 yards wide with separate teachings areas for youths and adults.
3. Construction of two (2) practice holes which shall be designed and constructed in order to be consistent with plans for Phase II.
4. Construction of a practice putting green that will be greater than 7500 square feet in area.
5. Construction of a pitching practice area that will be greater than 6000 square feet in area.
6. Construction of a sand trap practice area that will be greater than 6000 square feet in area.
7. All greens on all practice areas will be planted with bent grass.
8. Parking lot and related facility for 180 (10 feet x 20 feet) parking spaces plus an additional 2 spaces for handicap parking.
9. Implementation of the approved tree planting/landscaping program pertaining to Phase I.
10. Implementation of the approved drainage plan pertaining to Phase I.
11. Installation of low angle outdoor lighting for driving range.
12. Implementation of approved irrigation system pertaining to Phase I.
13. Installation of signage pertaining to Phase I.
14. Installation of a six (6) foot chain link perimeter fence to require passage through the clubhouse for access to the facility.

Phase II
(to be completed by December 31, 1996)

1. Construction of a training golf course (the exact number of holes to be determined by the Parties) with greens built to PGA standards which includes an expanded pond area in addition to the existing pond, which will be enlarged and deepened. All greens will consist of bent grass.
2. Construction of an 80 feet x 20 feet maintenance building along with a paved access road from the parking lot to the maintenance building. Mounding will be built around the area to screen the maintenance building.

3. Construction of a pump house.
4. Implementation of the approved tree planting/landscaping program pertaining to Phase II.
5. Implementation of the approved drainage plan pertaining to Phase II.
6. Implementation of the approved irrigation system pertaining to Phase II.
7. Installation of signage pertaining to Phase II.

EXHIBIT C
GOLF ACADEMY PERFORMANCE STANDARDS

Note: Certain standards will not be applicable
until the completion of Phase II.

A. Customer Service

1. Tee times scheduled easily
2. Bag stand near clubhouse to drop clubs
3. Receipts are given for fees
4. Rules and regulations, including dress codes, attractively displayed
5. Information on passes, leagues, lessons, etc., readily available
6. Score cards, pencils, etc. readily available
7. Hole signs with yardage, par, etc., are well placed
8. Ball washers are operational
9. Towels are available at ball washers
10. Benches are adequate in number and well placed
11. Trash containers are available on the course
12. Wildlife Management Areas are designated with appropriate signage
13. Cold water and drinking cups are available on the course
14. Pace of play is appropriately monitored
15. Dress code is enforced
16. Shoe cleaners are available at clubhouse entrance

B. Staff

1. Professional staff are clearly identifiable
2. Staff consistently greet customers
3. Staff members present neat and clean appearance
4. Staff members are knowledgeable and communicate clearly
5. Ranger is friendly and courteous

C. Clubhouse

1. Clubhouse is clean and swept
2. Lighting fixtures are operating
3. Rest room floors are clean and swept
4. Sink and toilet fixtures are clean and without odor
5. Rest room supplies are available (e.g. soap, toilet tissue, towels)

D. Indoor Teaching Facility

1. Video cameras/replay units are available
2. Golf simulators are available
3. Safety features are functional
4. Teaching staff available at identified times

E. Pro Shop

1. Shop is adequately stocked and merchandise is attractively displayed
2. Pricing is competitive with municipal golf courses

F. Snack Bar/Concession Area

1. Concession area is clean
2. Menu board is clearly visible
3. Food and drink prices are clearly stated on menu board

G. Driving Range

1. Both grass and hitting mat surfaces are available
2. Hitting surfaces are well maintained
3. Balls are clean and uncut
4. Heated outdoor hitting areas are functional during appropriate times
5. Lighting is functional
6. Adequate rental clubs are available
7. Yardage signs are in place for 100, 150, 200, and 250 yards
8. Hitting area safety features are in place

H. Grounds

1. Entrance clearly visible
2. Entrance well landscaped
3. Parking lot clean and well maintained
4. Parking lot has designated handicapped slots
5. Area surrounding clubhouse is neatly groomed and landscaped
6. Area surrounding maintenance building is neatly groomed and landscaped
7. Maintenance building is neat and clean
8. First tee is nicely landscaped
9. Tee boxes are well maintained, with multiple markers where space allows
10. Grounds and bunkers will be maintained in a professional manner
11. Greens are consistent in speed, appearance and playability
12. Fairways are distinguishable from rough

I. Business operations

1. Where required, employee PGA credentials are maintained in good standing
2. All transactions are properly entered into the Department-provided cash registers
3. Cash registers are available for daily polling
4. All business provisions of contract with the Department (e.g. insurance, compliance with federal, state and local laws and regulations, non-discrimination, etc.) are consistently performed

J. Golf Carts and Cars

1. Adequate quantity and quality of rental golf carts* and pull carts are available for the course
2. Car is clean and refueled/recharged*
3. Car is undamaged (seats, body dents, etc.)*
4. Car performs well at all speeds and in all directions*
5. Car is equipped with score cards and pencils*

*If golf cars are used on the course

K. Programming

1. Willingness to participate and encourage youth golf programs
2. A Variety of types of instruction from which the public may choose

EXHIBIT E
TERMS FOR USGA PARTICIPATION

If the USGA enters into an agreement to participate in the development of the Golf Academy, this Agreement between the Department and R.N. Thompson shall be terminated without the payment of the Termination Payment as long as a new agreement containing the terms set forth below between the Department and R.N. Thompson is executed at the time of termination. The new agreement shall include but not be limited to the following terms.

1. The Department shall enter into a 15 year land lease of the Premises with the Indianapolis Junior Golf Foundation ("Foundation"), or a similar 501(c)(3) organization.
2. The Foundation shall execute an agreement with R.N. Thompson for the construction and management of the Golf Academy.
 - a. The agreement shall have a four year term.
 - b. R.N. Thompson shall build Phase I and design Phase II of the Golf Academy at its expense (estimated cost \$450,000).
 - c. The management agreement for the Golf Academy shall provide that not less than 15% of the gross revenues of the Golf Academy shall be used for programming expenses. The programming would be determined by the Department, USGA and R.N. Thompson and will include at a minimum, youth golf programs and youth golf discounts.
 - d. Additionally, Thompson shall be required to set aside on an annual basis not less than 5% of the gross revenues of the Golf Academy to be used for a capital improvement fund.
3. The USGA shall provide a grant in an amount currently estimated to be \$100,000 for programming and equipping the Golf Academy. Additionally, the USGA shall provide technical assistance with the design, construction and operation of the Golf Academy.
4. The estimated cost of Phase II is \$1,300,000. The City of Indianapolis shall solicit the corporate community for donated funds totalling \$1,200,000 within six months unless extended by mutual agreement.
5. The USGA grant and the corporate donations shall fund the construction of Phase II and if necessary initial working capital. If the corporate capital campaign raises less than \$1,200,000 ("Deficit"), then (i) Thompson shall provide the Deficit and (ii) the percentage of gross revenues to be paid to fund programming and capital improvements as set forth in paragraph 2(c) and 2(d) shall be reduced 1% for every \$100,000 of Deficit provided by Thompson.
6. Additionally, the Department and R.N. Thompson shall execute an agreement whereby R.N. Thompson would manage Riverside Municipal Golf Course ("Riverside") for the period beginning January 1, 1996 to December 31, 1999. R.N. Thompson would be required to pay the City 20% of all gross revenues in cash or capital improvements (not to exceed 5%), and all remaining net revenues would be donated to St. Mary's Childrens Home.
7. In the event the Riverside management agreement is not extended after January 1, 2000, R.N. Thompson would have the right to terminate the management agreement for the Golf Academy and to receive, on a sliding scale, a return of all or a portion of its capital contribution utilized to construct Phase I of the Academy.

The sliding scale would begin at \$450,000 ("Termination Payment") if the appraised value of the Phase I improvements on January 1, 2000 and the appraised value of the land after to Thompson's improvements ("Termination Value") exceeds \$450,000 and the value of the Real Estate as provided in paragraph 20(b) of the Lease ("Minimum Value"). The Termination Value shall be determined by taking the average of two appraisals obtained from qualified real estate appraisers, one selected by the Department and one selected by Thompson. If the Termination Value does not exceed the Minimum Value, then the Termination Payment shall be reduced proportionately.

If Thompson is not offered the operator's position at Riverside for January 1, 2000, then it would receive 100% of the Termination Payment. The percentage of the Termination Payment that Thompson would receive if the Riverside Management Agreement is extended but is terminated in subsequent years would then be reduced by 10% each year.

If there is a Deficit and the Deficit is less than \$500,000, then the Deficit will be added to the \$450,000 in this paragraph 7 and amortized as set forth herein. If the Deficit is equal to or greater than \$500,000, then the Deficit shall be added to the \$450,000 and amortized over 10 years at 10% beginning January 1, 2000 consistent with Exhibit D. In each case, the amount of the Deficit shall also be added to the Minimum Value.

Councillor O'Dell questions the appropriateness of publicizing that some of the proceeds will go to charity in this project and in future projects.

PROPOSAL NO. 486, 1995. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal No. 486, 1995 on August 24, 1995. The proposal authorizes the lease by the Indianapolis Department of Parks and Recreation of approximately 150 acres of land currently consisting of a nine-hole golf course and driving range and commonly referred to as Winding River Municipal Golf Course to R. H. West Management Corporation for the construction, development, and management of an eighteen-hole golf course. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor Franklin, for adoption.

Councillor Gilmer stated that he will not support this ordinance because he did not receive enough information on the proposal.

Proposal No. 486, 1995 was adopted on the following roll call vote; viz:

23 YEAS: Beadling, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West
6 NAYS: Black, Boyd, Gilmer, Gray, Jimison, Williams
0 NOT VOTING:

Councillor Gray asked for consent to explain his vote. Consent was given. Councillor Gray stated that he voted against this proposal because he opposes long-term leases.

Proposal No. 486, 1995 was retitled SPECIAL ORDINANCE NO. 12, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 12, 1995

A SPECIAL ORDINANCE authorizing the lease by the City of Indianapolis Department of Parks and Recreation of approximately one hundred fifty (150) acres of land located at 8400 S. Mann Road, Indianapolis, Indiana, currently consisting of a nine hole golf course and driving range and commonly referred to as Winding River Municipal Golf Course to R.H. West Management Corporation for the construction, development and management of an eighteen hole golf course.

WHEREAS, the Board of Parks and Recreation of the City of Indianapolis, Indiana (the "Board"), being the governing body of the Department of parks and Recreation of the City of Indianapolis, Indiana, has determined that it would be in the best interest of the citizens of the City of Indianapolis, Indiana ("City") to construct and develop an eighteen hole golf course on the property located at 8400 S. Mann Road, Indianapolis, Indiana ("Golf Course"); and

WHEREAS, the Board and R.H. West Management Corporation ("West") have negotiated the terms by which West would construct, develop and manage the Golf Course, and encompassed such terms in the proposed Form of Lease which is in substantially final form and attached hereto as Exhibit "A" (the "Lease"); and

WHEREAS, Ind. Code 36-1-11-3 requires that such Lease be approved by the City-County Council of the City ("Council"); now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The Council hereby approves the construction, development and management of the Golf Course by West pursuant to the terms of the Lease which is in substantially final form and attached hereto and incorporated herein.

SECTION 2. The Council hereby delegates to the Board the authority to finalize and execute the Lease on behalf of the City.

SECTION 3. This Resolution shall be effective upon adoption and compliance with Ind. Code 36-3-4-14.

APPENDIX A
GOLF COURSE LEASE

THIS LEASE, effective as of August 1, 1995, by and between the Department of Parks and Recreation of the City of Indianapolis ("Department"), and R. H. West Management Corporation ("Tenant").

WITNESSETH:

In consideration of the mutual covenants hereinafter contained, and each act performed hereunder by either of the parties, Department and Tenant agree as follows:

ARTICLE 1

EXHIBITS AND DEFINITIONS

SECTION 1.01 EXHIBITS

The following are attached hereto and made a part of this Lease:

- A. Exhibit "A". Description of the real property leased by Tenant and comprising the premises as hereinafter defined, including the site plan showing the locations of Tenant's improvements relating to Tenant's use of the premises as a Golf Course as hereinafter defined.
- B. Exhibit "B". Winding River Proposal dated August 30, 1993.
- C. Exhibit "C". Description of the improvement work to be performed by Tenant on the Premises (as defined herein).
- D. Exhibit "D". Schedule for determining rental payments pursuant to Section 4.01 herein.
- E. Exhibit "E". Quality standards applicable to the operation and maintenance of the Golf Course.

SECTION 1.02 DEFINITIONS

- A. The term "Premises" refers to the real property described in Exhibit A and to any improvements made thereto from time to time by Tenant during the term of this Lease.
- B. The term "Golf Course" refers to all buildings, site improvements and other existing improvements and future improvements made to the Premises located entirely upon the property described on Exhibit A.
- C. The term "Gross Receipts" shall mean the gross sales from green fees, golf pass surcharge fees, cart rentals, food and beverage concessions and the driving range whether such sales be evidenced by check, credit, charge account or otherwise. Gross Receipts shall not include the amount of any sales, use or gross receipts tax imposed by any federal, state, municipal or other governmental authority directly or the sales tax collected from customers, provided that the amount thereof is added to the selling price and absorbed therein and paid by Tenant to such governmental authority. No franchise or capital stock tax and no income or similar tax based upon income or profits as such shall be deducted from Gross Receipts.
- D. The term "Lease Year" shall mean a period of twelve consecutive calendar months. The first Lease Year shall commence on (i) the Commencement Date (as defined herein) of this Lease if such Commencement Date shall occur on the first day of a calendar month, or (ii) on the first day of the calendar month next following the Commencement Date. Each succeeding Lease Year shall commence on the anniversary date of the first Lease Year.

- E. The term "Termination Payment" is hereby defined, subject to adjustment in accordance with the provisions of Article 13, to mean \$1,500,000 for the first 36 months of this Lease and thereafter \$10,417 multiplied by the number of months (and pro-rated portion of the month of Termination) remaining in the original fifteen (15) year term of this Lease (and not including any extensions beyond the original fifteen (15) year Lease term).

ARTICLE 2

DEMISE, DESCRIPTION AND USE OF PREMISES

SECTION 2.01 DESCRIPTION AND USE OF PREMISES

For the rent and upon the terms contained in this Lease, Department leases to Tenant and Tenant leases from Department the Premises, consisting of approximately 150 acres, more or less, located at 8400 Mann Road, in the City of Indianapolis, State of Indiana, for the purpose of operating thereon a golf course.

ARTICLE 3

LEASE TERM

SECTION 3.01 TERM

Subject to and upon the conditions set forth herein, the term of this Lease shall be for fifteen (15) consecutive years ("Term"), commencing on August 1, 1995 ("Commencement Date"). The Term of this Lease shall end on the last day of the fifteenth (15th) consecutive full Lease Year. This Lease may be extended for one (1) additional five (5) year term upon the conditions mutually agreed to by Tenant and the Department, provided Tenant is not in default hereunder and notifies Department in writing ninety (90) days prior to the expiration of the Lease term of Tenant's intention to extend the Lease for the additional term. Subject to the provisions of Section 14.07 hereof, in the event Department, for any reason whatsoever, cannot deliver possession of the Premises, Tenant shall have the right to terminate this Lease.

ARTICLE 4

RENT

SECTION 4.01 RENT

Commencing on the Commencement Date, Tenant shall pay Department, in the manner, upon the conditions and at the times hereinafter set forth during each year of the Term, and any extensions or renewals thereof, a sum equivalent to the percentages of Gross Receipts listed on Exhibit D (hereinafter referred to as "Rent"). Rent shall be due and payable fifteen (15) days following the last day of each calendar month, with respect to the Gross Receipts generated during the prior calendar month.

SECTION 4.02 REPORTS OF GROSS RECEIPTS

Tenant shall furnish Department a statement of Tenant's Gross Receipts within fifteen (15) days following the last day of each calendar month. Within sixty (60) days following the end of each calendar year, Tenant, at its sole cost and expense, will furnish Department with a statement of Gross Receipts for the prior calendar year prepared by a Certified Public Accountant chosen by Tenant.

SECTION 4.03 INSPECTION OF RECORDS

Tenant shall keep and maintain at the Premises, or its home office, full and accurate books of account, records and all pertinent data showing its Gross Receipts. Tenant shall make available for Department's inspection sales and use tax returns and records. Such books of account, records and other pertinent data shall be kept by Tenant for a period of three (3) years following the current operating year. Department shall be entitled, upon reasonable notice not exceeding thirty (30) days during the Term and within sixty (60) days after the expiration or termination of this Lease, to inspect and examine all of tenant's books of account, records and other pertinent data so Department can ascertain Tenant's Gross Receipts. Tenant shall cooperate fully with Department in making said inspection. Department, at its sole cost and expense, shall also be entitled to conduct one or more independent audits of Tenant's books of account, records or other pertinent data to determine Tenant's Gross Receipts by a Certified Public Accountant of its choosing.

Such audits shall be limited to the determination of Gross Receipts and shall be conducted, unless otherwise agreed, during normal business hours at the Premises or Tenant's home office. In the event said audit shows that there is a deficiency in the payment of any rent, said deficiency shall be immediately due and payable as hereinafter provided. The cost of Department's audit shall be paid by Department unless such audit shows that Tenant understated Gross Receipts by more than five percent (5%), in which case Tenant shall pay all Department's costs of said audit. Department hereby agrees to keep all information from such statements, inspections or audits confidential and shall not, unless required by law, disclose any of said information to any third parties other than to carry out the purposes of this Lease.

ARTICLE 5

OCCUPANCY, USE AND OPERATION

SECTION 5.01 OCCUPANCY

The Premises shall be used and occupied by Tenant for a public golf course described in Exhibits A and B and for no other purpose without the prior written consent of Department.

SECTION 5.02 USE

Tenant shall use the Premises for no unlawful purpose or act, and shall comply with and obey all laws, regulations, including zoning and sign regulations, or orders of any governmental authority or agency. Tenant shall not use, or permit the Premises (or any part thereof), to be used for any purpose or purposes other than those for which the Premises are hereby leased. Tenant shall not commit, or suffer to be committed any waste on or about the Premises, or create any nuisance.

SECTION 5.03 OPERATION

Tenant shall be responsible to the Department and the general public for rendering, on a full-time basis, golf-related services and conducting its business on or about the Golf Course in a manner generally accepted and established by the Professional Golfers' Association of America ("PGA").

- A. The Tenant shall employ a Class "A-1" member of the Professional Golfer's Association of America (a "Golf Professional"). Evidence of such status shall be submitted annually on the anniversary date of this Lease, or, as requested by the Golf Services Administrator of the Department ("Golf Services Administrator").
- B. The Tenant shall establish and maintain a good credit rating with suppliers and manufacturers as evidenced by a Credit Rating Report furnished annually by the Tenant.
- C. The Tenant shall cooperate with the Department, through the Golf Services Administrator in initiating, seeking and promoting golf activities throughout the City of Indianapolis and Marion County.
- D. The Tenant, or its designee, agrees to attend regular staff meetings, Board meetings, and golf-related functions of the Department, golf organizations and golf leagues; provided such meetings and functions do not adversely affect Tenant's ability to comply with the terms of this Lease.
- E. The Tenant shall be responsible for the operation and management of the golf shop, and the collection of greens fees, equipment rental fees and any and all other fees and charges related to the operation of the Golf Course through the cash register system provided by the Department at no cost to Tenant.
- F. The Tenant shall promote the game of golf and actively seek and administer golf leagues, outings, golf clinics, youth golf (including clinics to be offered during the season to promote youth golf) and other programs which will be in the best interest of the public as determined by the Department.
- G. The Tenant shall order and be responsible for payment of all golf equipment, golf merchandise and supplies, sportswear and other similar items, offered for sale and all sales tax and other taxes that might be due and payable as a result of the operation and maintenance of the Golf Course. All City, State and other licenses required for the appropriate operation of the golf shop must be obtained by the Tenant and at the Tenant's expense.

- H. The Tenant shall be responsible for all telephone charges, office supplies, postage, and other administrative expenses.
- I. The Tenant is responsible for furnishing all rental clubs, rental bags, pull carts, driving range retriever, ballwasher and range balls, and to ensure that their condition is reasonably acceptable as determined by the Golf Services Administrator.
- J. The Tenant shall be responsible for the sale of all daily fee tickets and shall keep accurate records in the form prescribed by the Department.

Tenant shall also be responsible for the preparation of reports and bookkeeping and shall adhere to all policies and procedures of the Department heretofore existing and as reasonably modified by the Department.
- K. Clubhouse. Tenant shall operate at its own cost and expense the clubhouse and monitor the sales and concession areas therein, each of which shall be open during the times that the Golf Course is open for play.
 - (i) At all times when the Golf Course is open for play, Tenant's designated employees shall be on duty in the clubhouse. The Tenant shall provide that an adequate staff is on duty at all times between March 1 and October 30 of each year this Lease is in effect. During other months, the Tenant may make personnel adjustments based on weather and playing conditions of the course.
 - (ii) Tenant shall maintain in the clubhouse a reasonable and adequate supply of merchandise customarily maintained at municipal golf courses.
 - (iii) Tenant shall in a neat, clean and organized fashion maintain the clubhouse and grounds.
 - (iv) Tenant shall at all times maintain the interior of the clubhouse building and the cart storage area(s) in a clean and attractive manner.
 - (v) Tenant shall be responsible for the day-to-day maintenance of the clubhouse.
- L. Tenant will employ, manage and supervise all employees, and be ultimately responsible for the efficient operation of the Golf Course, including, but not limited to, the rental of pull carts, golf clubs and golf carts; the operation of the driving range including the purchasing and selling of rangeballs; all janitorial services; and the monitoring and policing of the parking area and clubhouse grounds, thereby providing a safe environment and quality service throughout the Golf Course.
- M. The Golf Course.
 - (i) Tenant shall have the immediate responsibility for and actively supervise and assist in all matters relating to the maintenance and condition of the Golf Course and employees working at the Golf Course. Unless otherwise determined by the Department, all maintenance work performed on the land which comprises the Golf Course shall be at the expense of the Tenant. Tenant shall submit to the Department, on an annual basis a written plan for the continued maintenance and improvement of the Golf Course.
 - (ii) Tenant shall be responsible for hiring, supervising and managing all persons employed at the Golf Course. Tenant shall determine and pay wages and FICA benefits for employees. Tenant shall file a wage report with the Golf Services Administrator on a quarterly basis. With respect to the hiring of a greens superintendent, the Golf Services Administrator reserves the right to approve the individual selected by the Tenant (such approval not to be unreasonably withheld).
 - (iii) Tenant or his designee shall, at least twice daily, tour the Golf Course to observe and control play, making sure that all players abide by the applicable rules, that all carts are kept a minimum of thirty (30) feet from tees and greens or on cart paths. During busy hours of play, Tenant or an assistant professional shall monitor the pace of play on the Golf Course to ensure that players commence play at their scheduled tee times.

- N. The hours and dates for the operation of the Golf Course and driving range shall be proposed by the Tenant and approved (not to be unreasonably withheld) by the Golf Services Administrator.
- O. Golf Carts. Tenant shall provide and maintain an adequate number of riding and pull golf carts as may be necessary to satisfy the reasonable demands of the public. The golf carts shall be maintained in good operating conditions by Tenant and Tenant shall further provide any necessary repowering and refueling.
Department shall have the right at all reasonable times to inspect the golf carts to insure that the maintenance, performance, safety and appearance of the golf carts are reasonably acceptable.
- P. Golf Clubs. Tenant will foster, assist and support men's and women's golf clubs at the Golf Course.
- Q. Junior Golf Activities. Tenant will organize and facilitate junior golf activities at the Golf Course.
- R. Golf Tournaments. Tenant will assist and cooperate with the U.S.G.A. Amateur Public Links Sectional Qualifying Committee or any other golf governing body, as may be identified from time to time by the Department in the scheduling of golf tournaments at the Golf Course as long as Tenant receives its reasonable and customary compensation for the use of the Golf Course.
- S. Concessions. Tenant shall be responsible for all concessions sold in the clubhouse and on the Golf Course during the term of this Lease. Tenant shall maintain the kitchen and food and drink concession areas in a clean and sanitary condition, and shall comply with all applicable sanitary codes and other regulations of the City of Indianapolis, Marion County and the State of Indiana. The Tenant shall provide all concession-related equipment, adequate staffing of concessions, appropriate hours of operation, and be responsible for the cleanliness and quality of food service. Each month's concession receipts shall be submitted to the designated Department personnel by the 15th day of the month following receipt.
- T. Rates and Prices. The Tenant shall keep at all times on public display, the prices, rates and charges for sale of goods and services to the public. Maximum greens fees shall be established by the Board of Parks and Recreation by December 31st of the preceding year. In the event that the 18 hole greens fees are less than (i) \$15.00 for years 1997-2000, (ii) \$17.00 for years 2001-2004 and (iii) \$19.00 for years 2005-2010, then the percentages of Gross Receipts set forth in Section 4.01 shall be adjusted for the applicable years. The adjustments shall be made so that the Gross Receipts retained by the Tenant shall be equal to the Gross Receipts which the Tenant would have retained had the 18 hole greens fees been at the \$15, \$17, \$19 levels for the applicable years. Rates and charges for golf carts, pull carts, rental clubs, range balls, memberships and outing fees are to be proposed by Tenant and approved (not to be unreasonably withheld) by the Department if, and only if, such fee(s) exceeds the amount for such fee(s) from the prior year by more than 20%. Pricing of merchandise sold in the golf shop, club repair and private lesson fees shall be established by the Tenant and submitted to the Department annually. Price lists of all merchandise are not required -- only the prices for balls, gloves, and hats must be submitted.
- U. Real Estate Taxes. Tenant shall not be responsible for any real estate taxes or assessments on the Golf Course or any of the improvements thereon.
- V. Apartments. If the Golf Course has a building or a portion of a building that may be used as an apartment, the Tenant shall not use such building or portion thereof as an apartment without the approval of the Department (not to be unreasonably withheld). Tenant shall submit to the Department a written request, setting forth the intended use of the building or portion thereof and verify that appropriate insurance coverage is in place, covering the contents of the building and its intended use.
- W. Signs. Tenant shall maintain and continue to use all existing signs at the Golf Course.
- X. With the exception of private lessons and golf club repair, all revenue must be processed through Department's cash register system to be supplied by the Department at the Department's cost.
- Y. Tenant shall, by March 1st of each year during the term of this Lease, furnish for Department's review, a list of: food and drink concession items and their prices, golf lesson charges and cart rental fees, merchandise items (limited to hats, gloves, and balls), a Golf Course budget and any other report the Department may reasonably request from time to time.

Z. Tenant agrees that its operation of the Golf Course will be in accordance with all rules, regulations, procedures, conditions and terms of Department now in force or as may hereafter be reasonably adopted by Department which are intended to affect the operation of all City owned or operated golf courses. The operation of the Golf Course shall be acceptable to the Department in its reasonable determination and in substantial compliance with the quality standards set forth in Exhibit "E" (the "Quality Standards") to this Agreement. Department's Golf Services Administrator will meet annually with all golf pros contracted with Department to formulate such rules, regulations, procedures, conditions or terms. Any rules, regulations, procedures, conditions or terms adopted by the Department after the date of this Lease which are inconsistent with the provisions of this Lease shall not be binding on Tenant unless it shall agree to the same in writing.

AA. Security. The Pro shall maintain security service for both fire and theft comparable to the existing service on the Commencement Date. Any additional security deemed appropriate in the Pro's sole determination shall be provided at the Pro's sole expense. The Department makes no warranties as to any obligation to provide security for the Golf Facilities.

BB. Golf Course Evaluation. As set forth throughout this Agreement, Tenant has agreed to accomplish the goals and objectives of the Department of operating and managing the Golf Course by providing quality, reasonably priced golf services to youth and adults. Tenant understands the importance of maintaining and providing to the public top quality service. The Department reserves the right to conduct any reasonable surveys, questionnaires or inspections in order to determine how the public or other third parties view various aspects of the Golf Course within the parameters set forth in the Quality Standards.

If the surveys, questionnaires or inspections recognize material shortcomings or deficiencies in any aspect of services and/or facilities as required by the Quality Standards, the Department will notify the Tenant in writing of such deficiencies. The Pro will have thirty (30) days to respond with appropriate corrective action, demonstrating the Tenant's substantial compliance with the Quality Standards. In the event the Tenant fails to respond or the response is reasonably deemed to be inadequate, the Tenant shall be considered in default under this Agreement pursuant to Article 11.

ARTICLE 6

TAXES, UTILITIES AND LICENSES

SECTION 6.01 TAXES ON TENANT'S BUSINESS AND PROPERTY

Tenant shall pay and discharge when due all taxes and charges imposed upon the conduct of its business on or about the Premises and all property taxes imposed upon its fixtures, equipment, merchandise and other personal property on or about the Premises.

SECTION 6.02 PAYMENT OF UTILITIES

Tenant shall pay for all water, gas, electric, telephone and other public utilities of every kind furnished to the Premises for the exclusive use by Tenant throughout the Term and all other costs and expenses of every kind whatsoever of, or in connection with the use, operation and maintenance of the Premises and all activities conducted thereon and to indemnify and hold harmless Department from any liability resulting from any non-payment of any such services.

SECTION 6.03 LICENSES

Tenant shall obtain all necessary licenses for the operation of the pro shop, clubhouse, sales area and food and drink concession and furnish copies to the Department. Any permit from the Indiana Alcoholic Beverage Commission ("ABC") shall be obtained by Tenant or its designee at its sole expense and such permit will be assigned to Department at the end of this Lease or any extensions thereof without any cost whatsoever to be paid by Department except for any transfer fee assessed by the ABC and the pro-rata amount of the ABC annual renewal fee. Tenant shall monitor the alcohol sales so that consumption does not exceed amounts prescribed by the ABC. In addition, Tenant agrees to obtain liquor liability insurance in the amount specified in this Lease.

ARTICLE 7

NON-DISCRIMINATION

SECTION 7.01 NON-DISCRIMINATION

Tenant shall not discriminate against any employee, or applicant for employment, in the performance of this Lease, with respect to hire, tenure, terms, conditions or privileges of employment, because of race, religion, color, age, sex, handicap, national origin, ancestry, disabled veteran or Vietnam era veteran status.

ARTICLE 8

INSURANCE AND INDEMNIFICATION

SECTION 8.01 INSURANCE COVERAGE

Tenant shall procure and maintain in force at all times during the term of this Lease public liability, property damage and workmen's compensation insurance against loss, cost and expense by reason of injury to or the death of persons or damage to or the destruction of property arising out of or in connection with the occupancy or use of the Premises by Tenant. Said insurance shall be carried with established insurers as approved by Department (such approval not to be unreasonably withheld), and shall have the following minimum limits:

- A. Property Damage - one hundred percent (100%) of full replacement cost of all improvements to the Premises, with loss payable to Tenant.
- B. Commercial General Liability - for personal injury and property damage covering the Premises and its appurtenances in the amount of \$1,000,000. Such insurance shall specifically insure Tenant against all liability assumed hereunder, as well as liability imposed by law, and shall insure both Department and Tenant, but shall be so endorsed as to create the same liability on the part of the insured as though separate policies had been written for Department and Tenant.
- C. Umbrella/Blanket Liability - notwithstanding anything to the contrary contained in this Section 8.01, Tenant's obligations to carry the insurance provided for herein may be provided with the coverage of so-called blanket policy or policies of insurance carried and maintained by Tenant; provided, however, that coverage afforded Department shall not be reduced or diminished or otherwise be different from that which would exist under separate policies.
- D. Workmen's Compensation according to the statutory limits as provided in IC 22-3-5-1 et seq. and in the Indiana Workmen's Occupational Diseases Act, IC 22-3-7-1 et seq.
- E. Tenant shall maintain in effect at all times a policy of liquor liability insurance covering sales and serving of alcoholic beverages in an amount not less than \$300,000.00.
Said insurance policies must be maintained in full force and effect at Tenant's sole expense throughout the term of this Lease and any policy or policies concerning subparagraphs (a), (b), (c) and (e) above must contain the following provisions:
"The City of Indianapolis and the County of Marion are additional insured for all coverage provided by this policy and shall be fully and completely protected by the policy for risks and for every injury, death, damage or loss of any sort sustained by any person, organization, or corporation in connection with [Tenant's/Insured's] acts/omissions, the acts or omissions of [Tenant's/Insured's] employees, agent, servants and invitees while upon or during their use or occupation of the Golf Course, as well as any activity performed by [Tenant/Insured], his employees, agents, servants and invitees by virtue of the rights granted to [Tenant/Insured] by an agreement with the City of Indianapolis, by and through Department and its Board of Parks and Recreation."
"The coverage provided by this policy to [Tenant/Insured], the City of Indianapolis or Marion County or any other named insured shall not be terminated, reduced or otherwise changed in any respect without providing at least thirty (30) days written notice to the City of Indianapolis at the following address: Corporation Counsel, Legal Division, 200 East Washington Street, Suite 1601, Indianapolis, Indiana 46204."

SECTION 8.02 MISCELLANEOUS INSURANCE PROVISIONS

Department and Tenant acknowledge and agree that Tenant shall be solely responsible for all supplies and equipment maintained in the clubhouse and at the Golf Course. Any insurance on any supplies, equipment or fixtures owned by Tenant or supplies in Tenant's possession for sale shall be covered by Tenant's own property insurance policy and Tenant agrees not to make any claim against Department for any losses to any such equipment, supplies or fixtures.

SECTION 8.03 EVIDENCE OF INSURANCE

Tenant shall furnish Department with certificates of insurance referred to in the foregoing sections of this Article 8 evidencing such coverage prior to the Commencement Date and furnish all renewals thereof.

SECTION 8.04 INDEMNIFICATION OF DEPARTMENT

Tenant shall indemnify, defend, exculpate, and hold harmless Department, its Board of Directors, the Consolidated City of Indianapolis, County of Marion, and all their officials, employees or agents from any liability due to loss, damage, injury or other casualties caused to the person or property of anyone on the Premises or resulting from the performance or breach of any of the terms of this Lease or from the installation, existence, use, maintenance, condition, repairs, alterations or removal of any equipment or material, arising from any and all acts or omissions of Tenant or his employees, contractors, agents, and invitees. Tenant also agrees to pay all reasonable expenses and attorneys' fees incurred by or imposed on the City of Indianapolis, County of Marion, the Department, or any of their officials, agents or employees in connection herewith in the event that Tenant shall default under the provisions of this Lease. It is specifically agreed by and between the parties executing this Lease that it is not intended by any of the provisions of any part of this Lease to establish the public or any member thereof, as a third party beneficiary hereunder, or to authorize anyone not a party to this Lease to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Lease.

ARTICLE 9

REPAIRS AND DESTRUCTION OF IMPROVEMENTS

SECTION 9.01 MAINTENANCE OF IMPROVEMENTS

Tenant shall, at its sole cost and expense, keep and maintain the Premises, including all building and improvements of every kind (excepting a two-story barn located at the southwest end of Premises) that may be a part thereof, and all appurtenances thereto in good and neat order, condition and repair, and except as specifically provided herein, restore and rehabilitate any improvements which may be damaged or destroyed by fire, casualty, or any other cause. Department shall not be obligated to make repairs or replacements of any kind, nature, or description whatsoever to the Premises or any buildings or improvements thereon. If Tenant desires to make any capital improvements, Tenant shall (i) obtain the prior written consent of the Department (not to be unreasonably withheld) for the design and cost of such capital improvement project and (ii) if required comply with and abide by all federal, state, county, municipal and other governmental statutes, ordinances, laws and regulations affecting the Premises, the improvements thereon or any activity or condition on or in the Premises.

SECTION 9.02 DAMAGE OR DESTRUCTION TO IMPROVEMENTS

The damage, destruction or partial destruction of any building or other improvement which is a part of the Premises shall not release Tenant from any obligation hereunder, except as hereinafter expressly provided, and in case of damage to or destruction of any such building or improvement, Tenant shall, at its sole expense, promptly repair and restore the same to a condition as good as, or better, than that which existed prior to such damage or destruction. Tenant's obligation to repair and restore is limited to the use of proceeds received by Tenant of any insurance covering such damage or destruction. Any amount over and above insurance proceeds spent by Tenant shall be at its sole discretion.

SECTION 9.03 DAMAGE OR DESTRUCTION OCCURRING TOWARD END OF TERM

Anything to the contrary in the immediately preceding paragraphs of this Article 9 notwithstanding, in the case of destruction of buildings or improvements on the Premises or damage thereto from any cause so as to make same unusable during the last two (2) years of the Term hereof, Tenant, at its sole discretion, may terminate this Lease by written notice to Department within thirty (30) days after the occurrence of

such damage or destruction. In the event of such termination, there shall be no obligation on the part of Tenant to repair or restore the building or improvements, but any proceeds from policies of insurance relating to the buildings or improvements so damaged shall remain the property of the Department. Upon such termination rent, taxes, and any other sums payable by Tenant shall be prorated as of the termination date, and in the event rent, taxes or other sums payable by Tenant have been paid in advance, Department shall promptly rebate same for the unexpired period for which payment shall have been made.

ARTICLE 10

CONSTRUCTION

SECTION 10.01 TENANT'S CONSTRUCTION

- A. Department hereby agrees to deliver possession of the Premises to Tenant on the effective date of this Lease, and Tenant agrees that promptly after delivery of possession of the Premises by Department, to commence and proceed with due diligence to make all improvements to the Premises in accordance with Exhibit B and C, and install on the Premises all fixtures and other equipment which may be necessary or proper in the operation of Tenant's business. Tenant shall submit all plans and specifications related to its construction work to Department for approval, which approval shall not be unreasonably withheld or delayed. Tenant shall also provide to Department on a monthly basis a written construction status report and copies of all periodic construction draw requests provided to the Bank.
- B. The projects described in Exhibit "B" shall not be considered complete until a completion certificate, certifying completion of the project, is executed by an authorized Department employee.
- C. Tenant shall use its best efforts to minimize the disruption to the Golf Course during the construction of any capital improvements.
- D. All equipment, furnishings, signs and advertising installed by Tenant shall be consistent with the Quality Standards and project plans outlined in Exhibits "B" and "C". Any deviations must be approved in advance by the Department.
- E. Tenant agrees that all equipment, furnishings and improvements provided shall meet the requirements of all applicable building, fire, pollution and other related statutes, regulations and codes.

SECTION 10.02 LICENSES AND PERMITS

Tenant shall be responsible for obtaining all appropriate licenses and/or permits necessary for construction purposes and shall bear all related costs. Tenant shall ensure that all construction shall be done in accordance with applicable federal, state and local laws and ordinances.

SECTION 10.03 LIENS

Tenant's duty is to keep the Premises free of liens. Tenant shall keep all of the Premises and every part thereof and all buildings and other improvements at any time located thereon, free and clear of any and all mechanic's, materialmen's and other liens for or arising out of or in connection with work or labor done, services performed, or material or appliances used or furnished for or in connection with any operations of Tenant, any alteration, improvement, or repairs or additions which Tenant may make or permit or cause to be made, or any work or construction by, for or permitted by Tenant on or about the Premises, or any obligation of any kind incurred by Tenant, and at all times promptly and fully to pay and discharge any and all claims of liens and suits of other proceedings pertaining thereto. If Tenant desires to contest any such lien, it shall notify Department of its intention to do so within ten (10) days after the filing of such lien. In such case Tenant shall, on demand, protect Department by a surety bond against such lien and any cost, liability, or damage arising out of such contest. Tenant shall not be considered in default hereunder until thirty (30) days after the final determination of the validity of such lien(s), within which time Tenant shall satisfy and discharge such lien(s) to the extent held valid. In the event of such contest, Tenant shall protect and indemnify Department against all loss, expense and damage resulting therefrom.

ARTICLE 11

DEFAULT

SECTION 11.01 DEFAULT BY TENANT

Each of the following shall be deemed a default by Tenant under this Lease:

- A. Tenant's failure to pay any installment of rent when the same becomes due and the failure continues for fifteen (15) days.
- B. Tenant's failure to perform or observe any other covenant, term or condition of this Lease to be performed or observed by Tenant and if curable, the failure continues for thirty (30) days after notice thereof is given to Tenant;
- C. Abandonment of the Leased Premises by Tenant;
- D. The filing or execution or occurrence of:
 - (i) An involuntary petition in bankruptcy against Tenant and the failure of Tenant, in good faith, to promptly commence and diligently pursue action to dismiss the petition.
 - (ii) A petition against Tenant seeking a reorganization, arrangement, composition, readjustment, liquidation, dissolution, or other relief of the same or different kind under any provision of the Bankruptcy Act, and the failure of Tenant in good faith to promptly commence and diligently pursue action to dismiss the petition.
 - (iii) A general assignment for the benefit of creditors by Tenant.
 - (iv) The taking any part of the leasehold created hereby, or any part thereof, upon foreclosure, levy, execution, attachment or other process of law or equity.
- E. Tenant's failure to perform its obligations under any written Agreement resulting in a default pursuant to the terms of such Agreement.

SECTION 11.02 NOTICE OF DEFAULT

In the event of a default as provided in subparagraph (A) of the foregoing Section 11.01, Tenant shall have thirty (30) days from the receipt of written notice from Department to cure such default. Tenant shall not be deemed to be in default concerning all other events of default listed in the foregoing Section 11.01 unless Department shall have first provided Tenant with written notice detailing said default, and Tenant fails to cure such default within thirty (30) days from receipt of Department's written notice, or if the default is of such a nature that it cannot be cured within said thirty (30) day period, Tenant fails to commence to cure such default or fails thereafter to proceed to cure such default with all possible diligence. Provided, however, that the 30 day cure period provided in this section 11.02 shall commence upon the receipt by the Department of any notice of default by the Tenant from any financial institution providing financing for the improvements to be made under this Lease by the Tenant.

SECTION 11.03 DEPARTMENT'S REMEDIES

- A. Upon the Termination of the Lease, Department may, at its option in addition to any other remedy or right it has hereunder of by Law:
 - (i) Re-enter the Leased Premises, without demand or notice, and resume possession by an action in law or equity or by force or otherwise and without being liable in trespass or for any damages pursuant to Article 13 hereof. Department may remove all persons and property from the Leased Premises and such property may be removed and stored at the cost of Tenant. Tenant's liability for damages shall survive such termination; or
 - (ii) Terminate this Lease at any time pursuant to Sections 11.01 and 11.02 upon the date specified in a notice to Tenant. Tenant's liability for damages shall survive such termination. Upon termination such damages recoverable by Department from Tenant shall be the cost and

expenses paid or incurred by Department, less any revenues received by Department from the operations of the Premises in connection with:

- (a) Obtaining possession of the Leased Premises;
- (b) Care, maintenance, and repair of the Leased Premises while vacant;
- (c) Removal and storage of Tenant's or other occupant's property;
- (d) Reletting the whole or any part of the Leased Premises;

ARTICLE 12

ASSIGNMENT

SECTION 12.01 ASSIGNMENT

Tenant shall not sublet or assign this Lease nor any portion thereof, nor any property associated with this Lease without prior written approval, which shall not be unreasonably withheld, of the Department. Unapproved subletting or assignment shall be an event of default in accordance with Section 11.01 of this Lease and shall be grounds for immediate termination of this Lease. The Tenant may assign its rights to the Termination Payment with the prior written consent of the Department.

It is agreed that all terms and conditions of this Lease shall extend to and be binding on assignees, sublessees and other successors as may be approved by the Department.

Tenant shall be liable for acts and omissions by any subcontractor affecting this Lease. The Department reserves the right to directly terminate any sublessee or assignee for any cause for which Tenant may be terminated.

SECTION 13

TERMINATION

SECTION 13.01 TERMINATION

- A. Either party may terminate this Lease with cause by giving at least thirty (30) days written notice to the other party. Department may also terminate this Lease pursuant to the terms of Section 11.
- B. It is agreed by the parties hereto that the work described in this Lease to be performed by the primary shareholder of Tenant is of a personal service, highly professional in nature, and that the identity of the individual who is to be personally responsible for such work is of prime importance to Department. The parties therefore agree that in the event of the death or disability of Ronald H. West, wherein Ronald H. West is unable to substantially perform on behalf of Tenant for a period in excess of sixty (60) days, this Lease will automatically terminate as of December 31 of the year in which such event occurs provided that Tenant can provide evidence reasonably satisfactory to the Department of the continued operation of the Golf Course by Tenant under the terms of this Lease until December 31. If Tenant is unable to so satisfy the Department, this Lease may be terminated by Department upon 15 days notice. Department shall thereafter be free to engage a replacement for the operation and maintenance of the Golf Course. Provided, however, Tenant shall also have the right to provide evidence to the Department to allow continued operation of the Golf Course by Tenant beyond December 31 in accordance with the terms of this Lease. While under no obligation to do so in the event of the death or disability of Ronald H. West under this paragraph, the Department may elect to waive the automatic termination provision and allow this Lease to continue in accordance with its terms. The Department shall make its determination within sixty (60) days of receipt of evidence supporting the continuation of this Lease.
- C. For purposes of this Lease, "cause" shall be defined as (i) incompetence, gross inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of the laws, ordinances, regulations and policies or any other failure of good behavior, or any other acts of misfeasance, malfeasance or nonfeasance under this Lease by Tenant or a representative thereof or conduct of the golf operations in such a manner as to bring discredit upon the Department or to create a financial loss to the Department or the City of Indianapolis, or (ii) the breach of the terms of this Lease by the Department which has not been cured within 30 days of the date notice of breach is received by the Department.

- D. Upon termination of this Lease, (i) the Department shall pay to Tenant or its assignee or cause to be paid to Tenant or its assignee the Termination Payment, subject to the provisions of this Article 13 hereof; and (ii) Tenant shall immediately vacate the Premises and the Golf Course. The Termination Payment shall be paid within five (5) business days of termination. The Termination Payment shall be paid in full notwithstanding any asserted right of set off or other claim of Department.
- E. Upon termination of this Lease, the Tenant shall immediately vacate the Premises and the Golf Course, and Tenant shall be accountable to the Department for any and all damage to the Golf Course, beyond normal depreciation, as such is determined by the Department.
- F. By executing this Lease, the Department and the Tenant acknowledge that a significant investment will be made to the Premises and the Golf Course and such value will extend beyond the original term of this Lease. The Parties each agree that all improvements made to the Premises and the Golf Course shall become and remain a part of the Golf Course and be included in the definition thereof. Each party further acknowledges that disagreements may occur and litigation to resolve any such disagreement may be costly. At the termination of this Lease, all improvements made to the Premises and the Golf Course shall be the property of the Department, free and clear of all liens and encumbrances. The Termination Payment as provided for in Paragraph D of this Section 13.01 shall serve as the sole remedy of Tenant for any termination of this Lease by the Department after 36 months from the Commencement Date.
- G. The amount of the Termination Payment has been determined by the Department and the Tenant based in part upon (a) the estimated cost of the improvements to be made by Tenant as described in Exhibit "B", (b) the amount of capital invested by Tenant in such improvements and (c) the amount of debt incurred by Tenant to finance such improvements. In the event of termination during the first 36 months of this Lease, (i) the Termination Payment shall be adjusted so that the Termination Payment shall not exceed the total of (b) and the outstanding balance of (c) at the time of termination; and (ii) no payment of the Termination Payment shall be made by the Department under this Section without proper documentation by Tenant. The Termination Payment after 36 months shall be adjusted if Tenant has not completed the improvements set forth in Exhibit C to be the lesser of (i) the Termination Payment or (ii) the Termination Payment as adjusted in the preceding sentence.

SECTION 13.02 DISPOSITION OF IMPROVEMENTS ON TERMINATION OF LEASE

Upon termination of this Lease, for any cause, Tenant shall not remove any capital improvements from the Premises including, but not limited to: clubhouse, maintenance building(s), sidewalks, walkways or paths, concrete site improvements, parking lots, or underground improvements.

ARTICLE 14

MISCELLANEOUS

SECTION 14.01 NOTICES

- A. All rental and other payments to be made by Tenant shall be payable to Department at the address set forth below.
- B. All notices, demands, or other writings required under this Lease shall be deemed to be delivered (whether or not actually received) when deposited in the United States mail, registered or certified and postage prepaid, and addressed as follows:

To Department: Department of Parks and Recreation
1426 W. 29th Street
Indianapolis, Indiana 46208
Attn: Leon Younger, Director

To Tenant: R. H. West Management Corporation
8400 Mann Road
Indianapolis, Indiana 46221
Attn: Ronald H. West, President

August 28, 1995

With a Copy To:

First Indiana Bank
135 N. Pennsylvania Street
Indianapolis, IN 46204
Attn: Chris Barham

The address to which any notice, demand, or other writing may be given, made or sent to any party as above provided, may be changed by written notice given by such party as above provided.

SECTION 14.02 WARRANTIES OF TITLE AND QUIET ENJOYMENT

Department covenants that it is the fee simple owner of the Premises and has full right to enter into this Lease, and further covenants and agrees that if Tenant shall perform all the covenants and agreements herein stipulated to be performed on Tenant's part, Tenant shall at all times during the term of this Lease have peaceable and quiet enjoyment and possession of the Premises without any manner of hindrance from Department or any person or persons lawfully claiming the Premises.

SECTION 14.03 ENCUMBRANCE OF TENANT'S LEASEHOLD INTEREST

Tenant may not encumber by mortgage, deed of trust or other instrument its leasehold interest and estate in the Premises with an agreement which provides for the subordination of Department's fee simple interest in the property or Premises.

SECTION 14.04 AMENDMENTS

This Lease may be amended, modified or supplemented only by a written instrument signed by each of the parties hereto, and any such amendment may pertain to one or more provisions of this Lease without affecting other provisions of this Lease.

SECTION 14.05 ATTORNEYS' FEES

If any action at law or in equity shall be brought to recover any rent or other sum due under this Lease, or for or on account of any breach of, or to enforce or interpret any of the covenants, terms, or conditions of this Lease, or for the recovery of the possession of the Premises, the prevailing party shall be entitled to recover from the other party at part of the prevailing party's costs, reasonable attorneys' fees, the amount of which shall be fixed by the court and shall be made a part of any judgment or decree rendered.

SECTION 14.06 LEASE MEMORANDUM

This Lease shall not be recorded, however, upon request of either party, Department and Tenant shall execute and acknowledge a memorandum or short form lease setting forth the parties, description of the Premises, the original term, options for extension of the original term and any other provisions hereof, the inclusions of which may be mutually agreed upon by Department and Tenant, which memorandum or short form lease may be recorded by either party at any time after the execution of this Lease.

SECTION 14.07 FORCE MAJEURE

In the event that Tenant shall be delayed or hindered in or prevented from doing or performing any act or thing required in this Lease by reason of strikes, lock-outs, casualties, acts of God, labor troubles, inability to procure materials or equipment, governmental laws or regulations or other causes beyond Tenant's reasonable control, then Tenant shall not be liable or responsible for any such delays and the doing or performing of such act or thing shall be excused for the period of such delay and the period for the performance of any such act shall be extended for a period equivalent to the period of such delay.

SECTION 14.08 SEVERABILITY

In the event any provision contained in this Lease is determined invalid by a forum of competent jurisdiction, such provision shall be stricken and all other provisions which can be effected independently of the stricken provision shall remain in full force and effect.

SECTION 14.09 RELATIONSHIP OF PARTIES

Nothing contained herein shall be deemed or construed by the parties hereto, nor by any third party, as creating the relationship of principal and agent, or of joint venture, between the parties hereto.

SECTION 14.10 SUCCESSORS IN INTEREST

The covenants, agreements, terms, conditions and warranties of this Lease shall be binding upon and inure to the benefit of Department and Tenant and their respective successors and assigns, but shall create no rights in any other person except as may be specifically provided for herein.

SECTION 14.11 GOVERNING LAW

This Lease has been executed under and shall be governed by the laws of the State of Indiana.

Tenant shall comply with all applicable Federal laws and regulations, state statutes and City-County ordinances and regulations relative to the operation of the Golf Course and this Lease.

SECTION 14.12 HEADINGS

The section headings are inserted as a matter of convenience and for reference and in no way define, limit or describe the scope or intent of this Lease, nor in any way affect this Lease.

SECTION 14.13 TIME OF THE ESSENCE

Time is of the essence of this Lease, and of each and every covenant, term and provision hereof.

SECTION 14.14 ENTIRE AGREEMENT

This Lease and the exhibits attached hereto set forth all the covenants, agreements, conditions, understandings and promises between Department and Tenant concerning the Premises, and there are no covenants, agreements, conditions, understandings or promises, either oral or written, between the parties other than herein set forth. Except as otherwise herein provided, no subsequent alteration, amendment, change or addition to this Lease shall be binding upon Department or Tenant unless reduced to writing and signed by them.

ARTICLE 15

OTHER PROVISIONS

SECTION 15.01 COOPERATION OF Department

Department hereby agrees to cooperate and assist Tenant in obtaining all necessary governmental approvals and permits, and other reasonable request made by Tenant from time to time.

SECTION 15.02 BROKER'S COMMISSION

Tenant warrants that there are no claims for brokers commission or finders fees in connection with its execution of this Lease, and agrees to indemnify and save harmless Department from any liability that may arise from such claims, including reasonable attorneys' fees.

EXECUTED on the date first above written.

DEPARTMENT:

DEPARTMENT OF PARKS AND
RECREATION of the Consolidated
City of Indianapolis

By: _____
Leon Younger, Director

TENANT:

R. H. WEST MANAGEMENT
CORPORATION

By: _____
Ronald H. West, President

August 28, 1995

APPROVED AS TO FORM AND CONTENT
BINGHAM SUMMERS WELSH & SPILMAN,
Contract Counsel

By: _____
Joseph E. DeGroff

APPROVED BY:

James H. Steele, Jr., City Controller

EXHIBIT A

DESCRIPTION OF REAL ESTATE

The Real Estate consists of approximately 150 acres, more or less located at 8400 S. Mann Rd., Indianapolis, Indiana, 46227. The Facility currently consists of a nine hole golf course, driving range with covered stalls, golf car storage building, maintenance building, clubhouse which includes a snackbar, restrooms, and office space. The property adjoining golf course allows for the expansion of an additional nine golf holes.

EXHIBIT B

Winding River Proposal
Dated August 30, 1993

EXHIBIT C

DESCRIPTION OF PROJECT

GENERAL PLAN FOR CONSTRUCTION PHASING

Winding River Golf Course Expansion

The intent of this plan is to construct a high quality golf facility which will have excellent playing surfaces along with aesthetically pleasing and strategic golf features. Players of all abilities will be able to play and enjoy this golf course. It will be maintainable within a reasonable budget with regard to the type and scope of the facility.

PHASE ONE - Assuming a November 1995 start date, rough shaping and excavation would commence on the practice range, practice putting green as well as new hole numbers 3, 4, 5, 11 through 18. Work would also begin on enlarging the irrigation lake. Construction would continue, in 1995, until weather would not permit further work. The existing golf course would remain open at all times.

As early as weather permits in 1996, work would commence to complete the new golf holes, practice range and practice putting green. This would involve construction of drainage features, greens, tees, bunkers, the irrigation system, finishing shaping and grassing. The target date for the project to be grassed is September 15, 1996. At this point grow-in of the golf course will begin. The existing golf course would remain open at all times.

In the late fall or early winter of 1996, work will begin on the required buildings (clubhouse and/or cart barn and the parking lot).

The facility will be operated from the new clubhouse location starting in the 1997 season. All efforts will be made so that the practice range and putting green will be open as soon as possible in the Spring of 1997. Some limited play will be allowed on the new holes if they are mature enough to handle the level of play expected as necessary to accommodate play on nine holes as remodeling of old holes start. At this point Phase Two will commence.

PHASE TWO - In 1997, grow-in of the new golf course will continue. When feasible, construction to remodel the old holes will begin. This will consist of bunkers and/or mounding on holes 1, 2, 7, 8 and 9. Sodding will be used in in-play areas which are remodeled so as to expedite the time frame required to return these holes to play. A new lake will be constructed between holes 3 and 7. Also, new greens will be constructed on holes 6 and 10. Irrigation automation of existing fairways will be done at times and in

locations on holes that are out of play for remodeling. Nine holes will be open at all times to accommodate play.

It is planned that in the Spring of 1998 all eighteen holes will be open for play. The timing of this plan ensures a well grown in golf facility that is appealing and impressive to the public and mature enough to endure play and maintain the highest quality playing conditions.

PHASE THREE - The final phase involves reconstruction (and enlargement where necessary) of the tees and additions of forward tees on the old holes. This will be necessary to accommodate the amount of play expected to maintain high quality playing conditions. Also, the completion of forward tees on all holes will encourage the enjoyment of the facility by beginners, ladies and seniors. A new tee complex will be constructed at approximately the location of the old clubhouse giving the hole its final, proposed length. All tees will be sodded so that they may be returned to play as soon as possible. Assuming a November, 1995 project start date, Phase Three shall be completed by May 31, 1999.

During all phases tree planting will be an ongoing operation. Groups of conifers and deciduous trees will be planted adjacent to fairways and greens. Spring flowering trees will be located at tee complexes.

THOUGHTS AND CONSIDERATIONS

The logic involved in expanding Winding River Golf Course was determined by many of the following factors:

1. Playability, Enjoyment and Challenge as a Par 70

Playability, able to play course repeatedly without losing the pleasure of golf. Capable of playing in a reasonable time. As a par 70 the net effect would be a reduction in playing time. This reduction in playing time would allow for more rounds per day and increase total player count. Maintaining the exercise and relaxation aspects of the sport. Challenge the player through variety of ball positions and club selections.

2. Meeting Future Community Recreational Needs

With the airport expansions, proposed commercial development and expected housing increases the southwest portion of Indianapolis and Marion County will need additional recreational facilities to meet the burgeoning population.

Continued improvement and development of the total park complex via increased visibility and usage.

3. Privatization Model

Excellent example of government working with the private sector for the betterment of the taxpayer with additional recreational services.

Independent funding with a minimum of government revenue needed.

Ability to expedite the expansion and renovation.

Job creation without being a direct burden to current government payroll.

Long range asset appreciation and revenue generation.

4. Maintenance and Environment

Course design compliments the maintenance needed for 50,000 plus rounds a year.

Conservative use of available lands.

Minimum tree displacement and maximum tree replanting.

Lakes which incorporate course beautification, player challenge and provide habitat for nature's animals.

DESIGN FEATURES

Tees: Tees will provide a variety of shot selections and ample tee marker movement, thus eliminating severely worn areas.

Fairways: Fairways will have needed width to accommodate the player's skill levels. The fairway width will also allow for planting of trees parallel to the fairways offering protection as well as appearance.

Greens: Greens will be gently contoured and open in the front. All greens will gather, not reject, shots.

Lakes: Will provide aesthetics to the course as well as shot development. Lakes will have the capability of maintaining a constant water level.

Bunkers: Bunkers will have minimum depth and lip size. Sand will be USGA approved and sand texture will provide for speed of play by having the needed compactness to avoid buried lies.

HOLE BY HOLE DESCRIPTIONS

HOLE #1 (old hole #2) 380 yards rear
PAR 4 365 yards middle
 300 yards front

This hole lends itself very well to being the starting hole. It is a medium length, straight hole with a downhill tee shot and an uphill second shot. The addition of a bunker at the right front of the green will improve the aesthetics and depth perception of the opening hole.

HOLE #2 (old hole #3) 210 yards rear
PAR 3 195 yards middle
 140 yards front

The second hole is a medium long par three. The hole travels down a hill thirty feet in altitude, making this hole play shorter than its measured length. A bunker will be added to the right side of the green to "catch" errant shots from running down the hill.

HOLE #3 (old #4 green) 420 yards rear
PAR 4 400 yards middle
 330 yards front

This hole will be relocated to the right of its existing location, yet still play to the old green. Relocating the tee and fairway straightens the hole, and a straight shot will be required considering the addition of two lakes around the green. Mounding will be added behind the green to improve definition and aesthetics. This medium-long par 4 will be one of the most challenging and beautiful holes at Winding River.

HOLE #4 350 yards rear
PAR 4 320 yards middle
 270 yards front

The fourth hole is an uphill, short par 4. The tee shot is played adjacent to two lakes. The second shot will be played uphill to a green located in front of the old #4 tee. The new green will be bunkered front right and have a grassy bunker along the left side of the green to gather errant shots. The best approach to this green will be from the left side of the fairway.

HOLE #5 490 yards rear
PAR 5 480 yards middle
 420 yards front

This hole is a "reachable" par 5 in two shots for the better players. Being downhill and short, all players will have a good chance at a birdie. The tee shot is hit into an open area. However, the hole progressively gets tighter on the second shot. The green will snug up to the bluff on the left requiring precision from the better players trying to reach in two. The green is shallow, but will gather in approach shots.

HOLE #6 (old #5 green) 350 yards rear
PAR 4 335 yards middle
 280 yards front

When completed (new green constructed), the sixth hole will be a solid, dogleg right par 4. The green will be cut into a hill and require a precise second shot, especially if the pin is tucked left behind a bunker. The front of the green is open to allow a "run up" shot. A bunker behind the green will add definition and help depth perception for the second shot.

HOLE #7 (old #4) 410 yards rear
PAR 4 390 yards middle
 310 yards front

The tees will be rebuilt to provide visibility to the fairway, allowing this hole to become a good medium length par 4. Construction of a lake between holes 3 and 7 will add a great deal of beauty and strategy, and also precision on the second shot (especially after an errant drive). Mounding will be added behind the green to improve aesthetics and definition.

HOLE #8 (old #7) 390 yards rear
PAR 4 370 yards middle
 320 yards front

A medium length par 4 swinging slightly left to right. Addition of trees adjacent to the fairway, left and right, will tighten the tee shot landing area. A bunker constructed to the front left of the green will allow a good placed drive in the right half of the fairway the best angle to the green.

HOLE #9 (old #8) 170 yards rear
PAR 3 145 yards middle
 100 yards front

A good, solid par 3 playing slightly uphill. A large bunker placed front left will make the hole look shorter, placing a great need for accurate club selection. Mounding will be constructed behind the green for definition and to help provide depth perception.

HOLE #10 (old #9) 530 yards rear
PAR 5 500 yards middle
 440 yards front

The tenth is a long par 5 which will be improved by construction of a new green and bunker complex. The new green will be lowered and the hill in front of the green will be removed to provide visibility to the green from the tee landing area. Fairway bunkers short of the green will make a player play a precise second shot. The green will be well bunkered, yet open in front allowing for "knock-down" shots.

HOLE #11 200 yards rear
PAR 3 180 yards middle
 130 yards front

Hole #11 is a par three of varying lengths and angles of tee shots. The green is bunked front left and the fairway swings well left of the green offering a player a "bail out" area. As the tee shortens, they move to the right to lessen the difficulty of the shot required. The green will be gently contoured and gather shots which land on the putting surface.

HOLE #12 450 yards rear
PAR 4 430 yards middle
 350 yards front

The twelfth hole is a long par 4 with a relatively open tee shot. The second shot plays to a rather large green with bunkers on the left. The green is long so a running second shot will have a chance to come to rest on the green. This hole will be located in the field such that it will not interfere with play on the old first hole during construction.

HOLE #13 190 yards rear
PAR 3 165 yards middle
 110 yards front

The thirteenth is a straight forward par 3 of medium length. A precise approach shot will not guarantee you a par, because a rolling green will require great touch when putting.

HOLE #14 310 yards rear
PAR 4 300 yards middle
 250 yards front

Hole #14 is a short par 4 requiring accuracy on the tee shot as trees border the left side of the hole and trees are on the right side of the fairway just short of the landing area. Bunkers left and right of the green will provide direction for the tee shot. The green will be cut into the hill and bunkered front left. It will be on the small side, so good approach shots are required to get a good score.

HOLE #15 430 yards rear
PAR 4 410 yards middle
 350 yards front

The 15th hole is the beginning of a series of finishing holes. It is a medium long par 4. It is a fine hole with an existing downhill tee shot lined by trees. The second shot plays slightly uphill to a green well bunkered. A "bail out" area will exist at the front right side of the green.

HOLE #16 450 yards rear
PAR 4 430 yards middle
 350 yards front

This long hole plays straightaway. A tee shot which is placed on the right side of the fairway will give the player the best angle for their second shot. The second shot is slightly downhill to a green bunkered on the left along with a grassy hollow which runs the length of the green. The best shot to play into the green is to play to the right and allow the ball to run down to the green.

HOLE #17 160 yards rear
PAR 3 145 yards middle
 120 yards front

Hole #17 plays downhill to a gently rolling green with a bunker front right protecting a premium pin position.

HOLE #18 540 yards rear
PAR 5 520 yards middle
 450 yards front

Hole #18 is the longest hole at Winding River and will require good shot making to make a par. The tee shot needs to avoid a fairway bunker on the right side of the fairway. Only the longest players will be able to carry the bunker. The fairway swings left on the tee shot to guide players away from the out of bounds. The second shot will need to negotiate a fairway bunker on the right to set up for the third shot. The third shot is to a small green nestled into a hillside, surrounded by trees and bunkers. This is a premium par 5, possibly the best hole at Winding River.

CLUBHOUSE AND CART BARN

The clubhouse layout will consist of a total square footage of approximately 6,000 square feet. The cart barn will be capable of holding and maintaining 80 carts. The square footage of the cart barn will be approximately 2,000 square feet.

The features of the clubhouse will be as follows:

1. Enlarged Pro Shop and receipt sales area;
2. Enlarged Snack Bar area complimented by a three-sided vista of the golf course;

3. Huge outdoor canopy covered deck area, for food and beverage consumption while enjoying a beautiful full view of the golf course, practice green and driving range;
4. Activity room with smoking area;
5. Handicap accessible;
6. Spacious restrooms that will be easily cleaned and maintained;
7. Ample office and storage areas.

The overall design will accommodate outings or group activities for seating. Video training could also be available with the new design layout.

EXHIBIT D

PERCENTAGE OF REVENUES PAID TO THE DEPARTMENT				
Period	Green Fees	Carts	Concessions	Driving Range
Years 1-3	0%	0%	0%	0%
Year 4	3	5	5	25
Year 5	4	5	5	25
Year 6	5	5	5	25
Year 7	8	5	5	25
Years 8-15	15	5	5	25

EXHIBIT E

QUALITY STANDARDS

A. Customer Service

1. Tee times scheduled easily
2. Bag stand near Clubhouse to drop clubs
3. Receipts are given for fees
4. Rules and regulations, including dress codes, attractively displayed
5. Information on passes, leagues, lessons, etc., readily available
6. Score cards, pencils, etc. readily available
7. Hole signs with yardage, par, etc., are well placed
8. Ball washers are operational
9. Towels are available at ball washers
10. Benches are adequate in number and well placed
11. Trash containers are available on the course
12. Wildlife Management Areas are designated with appropriate signage
13. Cold water is available on the course
14. Pace of play is appropriately monitored
15. Dress code is enforced

16. Shoe cleaners are available at clubhouse entrance

B. Staff

1. Professional staff are clearly identifiable
2. Staff consistently greet customers
3. Staff members present neat and clean appearance
4. Staff members are knowledgeable and communicate clearly
5. Ranger is friendly and courteous

C. Clubhouse

1. Clubhouse is clean and swept
2. Lighting fixtures are operating
3. Rest room floors are clean and swept
4. Sink and toilet fixtures are clean and without odor
5. Rest room supplies are available (e.g. soap, toilet tissue, towels)
6. Grounds are nicely landscaped

D. Pro Shop

1. Shop is adequately stocked and merchandise is attractively displayed
2. Pricing is competitive with comparable municipal golf courses

E. Snack Bar/Concession Area

1. Concession area is clean
2. Menu board is clearly visible
3. Food and drink prices are clearly stated on menu board

F. Grounds

1. Entrance clearly visible
2. Entrance well landscaped
3. Parking lot clean and well maintained
4. Parking lot has designated handicapped slots
5. Area surrounding Clubhouse is neatly groomed and landscaped
6. Area surrounding maintenance building is neatly groomed and landscaped
7. Maintenance building is neat and clean
8. First tee is nicely landscaped and attractive in appearance
9. Tee boxes are well maintained, with multiple markers where space allows
10. Grounds and bunkers will be maintained in a professional manner

11. Greens are consistent in speed, appearance and playability
12. Fairways are distinguishable from rough

G. Golf Carts and Cars

1. Adequate quantity and quality of rental golf carts* and pull carts are available for the course
2. Car is clean and refueled/recharged
3. Car is undamaged (seats, body dents, etc.)
4. Car performs well at all speeds and in all directions
5. Car is equipped with score cards and pencils

H. Driving Range (if applicable)

1. Hitting surfaces are well maintained
2. Balls are clean and uncut
3. Lighting is functional (where applicable)
4. Adequate rental clubs are available
5. Yardage signs are in place for 100, 150, 200, and 250 yards
6. Hitting area safety features are in place

I. Business operations

1. Where required, employee PGA credentials are maintained in good standing
2. All transactions are properly entered into the Department-provided cash registers
3. Cash registers are available for daily polling
4. All business provisions of contract with the Department (e.g. insurance, compliance with federal, state and local laws and regulations, non-discrimination, etc.) are consistently performed

PROPOSAL NO. 490, 1995. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 490, 1995 on August 8, 1995. The proposal authorizes the Agreement for the Operation and Maintenance of the Indianapolis International Airport Facilities by and Between the Indianapolis Airport Authority, BAA Indianapolis LLC, and BAA USA Holdings, Inc. Councillor Curry stated that the airport is not being sold and it is not being leased. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor Short, for adoption.

Councillor Curry introduced Betty Johnson, member, Indianapolis Airport Authority Board; Dennis Rosebrough, Director of Public Affairs, Airport Authority; Michael Stayton, Director of the Department of Public Works; and David Roberts, Director of the Airport Authority, BAA.

Councillor Golc voiced his support of this proposal. Councillor Gilmer asked if the Airport Authority Board will still be responsible for policy at the airport. Councillor Curry answered in the affirmative.

Councillor Jimison asked what is being changed by this venture and if the control of the airport is being sold. Mr. Stayton answered that this is a management contract. The Board retains all the authority it has had before this contract--the only change is that Mr. Roberts will be executive director of the airport rather than Dan Orcutt. The employees will be hired by BAA rather than the Airport Authority at comparable pay and benefits. This is simply a management contract; it is not a sale of the airport nor a lease of the airport.

Proposal No. 490, 1995 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS: Gray

2 NOT VOTING: Giffin, Jimison

Proposal No. 490, 1995 was retitled SPECIAL ORDINANCE NO. 13, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 13, 1995

A SPECIAL ORDINANCE authorizing the Agreement for the Operation and Maintenance of the Indianapolis International Airport Facilities by and between the Indianapolis Airport Authority ("Authority"), BAA Indianapolis LLC, and BAA USA Holdings, Inc. (collectively, "BAA").

WHEREAS, the Authority previously requested proposals from parties interested in operating and maintaining the Indianapolis International Airport, three reliever airports, one general aviation airport, one heliport, and a foreign trade zone, all within the Indianapolis area; and

WHEREAS, BAA's response to the Request for Proposal was selected by the Authority because of BAA's unique and specialized professional experience in operating and managing highly-regarded, world-class airports of similar or larger size; and

WHEREAS, the Authority and BAA have negotiated the terms by which BAA would manage the Authority's facilities, and encompassed such terms in the proposed Form of Operating Agreement which is in substantially final form and attached hereto as Exhibit "A" (the "Operating Agreement"); and

WHEREAS, Ind. Code 36-1-14.3 requires that such Operating Agreement be approved by the City-County Council of the City ("Council"); now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The Council hereby approves the operation and maintenance of the Indianapolis International Airport, three reliever airports, one general aviation airport, one heliport, and the foreign trade zone by BAA pursuant to the terms of the Operating Agreement which is in substantially final form and attached hereto and incorporated herein.

SECTION 2. The Council hereby delegates to the Authority the authority to execute the Operating Agreement.

SECTION 3. This Resolution shall be effective upon adoption and compliance with Ind. Code 36-3-4-14.

EXHIBIT A

AGREEMENT FOR THE OPERATION AND MAINTENANCE
OF
THE INDIANAPOLIS INTERNATIONAL AIRPORT FACILITIES

THIS AGREEMENT FOR THE OPERATION AND MAINTENANCE OF THE INDIANAPOLIS INTERNATIONAL AIRPORT FACILITIES (hereinafter referred to as this "Agreement"), dated

_____, 1995, and executed by the **Indianapolis Airport Authority** (hereinafter referred to as the "Authority"), and **BAA Indianapolis LLC, an Indiana limited liability company**, and **BAA USA Holdings, Inc., a Delaware corporation** (hereinafter collectively referred to as the "Contractor"),

WITNESSETH

PREAMBLE

WHEREAS, the Authority owns and is responsible for the operation and maintenance of the Indianapolis International Airport, three reliever airports, one general aviation airport, one heliport, and a foreign trade zone, all in the Indianapolis area (hereinafter referred to collectively as the "Airport Facilities," as described in Schedule 1.07 attached hereto); and

WHEREAS, the Authority desires to have the Airport Facilities maintained and operated in the most efficient manner possible, while complying with all Legal Requirements; and

WHEREAS, the efficient operation and maintenance of the Airport Facilities requires unique and specialized professional skills together with experience in improving and managing highly-regarded, world-class airports of similar or larger size; and

WHEREAS, the Authority desires to maintain ownership of the Airport Facilities and to contract for the operation and maintenance of the Airport Facilities with an organization which has the specialized professional skills and experience to operate the Airport Facilities in the most efficient manner possible; and

WHEREAS, the Contractor responded to the RFP issued by the Authority for the operation and maintenance of the Airport Facilities; and

WHEREAS, the Contractor has available to it experienced professionals in the business of supplying operation, maintenance, and management services for facilities such as the Airport Facilities; and

WHEREAS, the Authority and the Contractor wish to enter into this Agreement setting forth their respective rights, duties, privileges, and responsibilities.

NOW, THEREFORE, in consideration of the mutual promises and commitments hereinafter described, the Authority and the Contractor agree as follows:

ARTICLE I.
DEFINITIONS

Section 1.01. Adjusted Baseline. The Baseline Projection, as adjusted in Article VI or elsewhere.

Section 1.02. Administrative Services Component. The support services for the Airport Facilities, including, but not limited to, finance and human resources services and those services more fully described in Section 3.06 herein.

Section 1.03. Agreement Year. The period commencing with the Effective Date and ending at 12:00 midnight on December 31, 1996, and for each subsequent Agreement Year thereafter, the period commencing on 12:00 midnight on December 31 of the preceding Agreement Year and ending on 12:00 midnight on December 31 of the applicable Agreement Year or the Termination Date.

Section 1.04. Airfield Services Component. The airfield activities and the oversight of aircraft services at the Airport Facilities, including those services more fully described in Section 3.06 herein.

Section 1.05. Airlines. Those airlines which utilize the Airport Facilities, including, without limitation, those airlines set forth in Schedule 1.05 attached hereto.

Section 1.06. Airport Director. The person selected by the Contractor pursuant to Section 3.04 herein to be in charge of the operation, maintenance, and management of the Airport Facilities on the Contractor's behalf pursuant to the terms of this Agreement. In no event shall the Airport Director be deemed to be the airport director or other official described in any documents relating to the issuance of bonds by the Authority and neither the Contractor nor the Airport Director shall have any liability whatsoever thereunder.

Section 1.07. Airport Facilities. The Indianapolis International Airport, three reliever airports, one general aviation airport, the Downtown Heliport, and the Foreign Trade Zone, all in the Indianapolis area, and any additions to or replacements thereof (including capital improvements), owned by the Authority and operated and maintained by the Contractor, all as further described in Schedule 1.07 attached hereto. The three reliever airports are Eagle Creek Airport, Metropolitan Airport, and Mount Comfort Airport. Speedway Airport is the general aviation airport. Except with respect to Speedway Airport, which is to be replaced by Hendricks County Airport, the term "Airport Facilities" shall not include any airport facility in addition to or in replacement of any existing airport facility.

Section 1.08. Annual Capital Budget. The capital budget prepared by the Contractor on an annual basis, as approved by the Authority and the City-County Council of the City of Indianapolis and not disapproved by the Airlines.

Section 1.09. Annual Operating Budget. The operating budget prepared by the Contractor on an annual basis, as approved by the Authority and the City-County Council of the City of Indianapolis.

Section 1.10. Authority Agreements. All leases, agreements, contracts, documents, and instruments to which the Authority is a party, which are in excess of \$50,000 per annum, which relate to the Contractor's operation, maintenance, and management of the Airport Facilities, and which are listed in Schedule 1.10 attached hereto.

Section 1.11. Baseline Projection. The baseline projection attached hereto as Schedule 1.11 which projects the Net Airline Cost from the actual 1994 level of \$_____ per Enplaned Passenger (an aggregate of \$) for the first Agreement Year through the tenth Agreement Year based on the number of Projected Enplaned Passengers, all expressed in average 1994 dollars.

Section 1.12. Beginning Inventory. The spare parts, tools, materials, and supplies at the Airport Facilities as of December 31, 1995, which are intended to be used by the Contractor.

Section 1.13. Business Day. A day on which banks in Indianapolis, Indiana are open for business.

Section 1.14. Capital Expenditures. Those items of capital expenditures costing more than \$2,500 but less than \$100,000, as set forth on line _____ of the Baseline Projection, which amounts may be adjusted by mutual agreement of the Authority and the Contractor from time to time.

Section 1.15. Capital Improvements. The improvements to the Airport Facilities costing \$100,000 or more, including major repairs and replacements to the Airport Facilities, which amounts may be adjusted by mutual agreement of the Authority and the Contractor from time to time.

Section 1.16. CERCLA. The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 USC 9601 *et seq.*, and any future amendments.

Section 1.17. Code. The Internal Revenue Code of 1986, as amended.

Section 1.18. Consumer Price Index or CPI. The Consumer Price Index, all Urban Consumers, U.S. City Annual Index, published by the U.S. Department of Labor, Bureau of Labor Statistics or some other agreeable index if the CPI is discontinued.

Section 1.19. Contractor's Proposal. The Proposal submitted by the Contractor to the Authority dated December 9, 1994, as modified by the supplemental proposals dated February 24, 1995, February 28, 1995, March 6, 1995, March 13, 1995, and March 17, 1995.

Section 1.20. Damages. All damages, including without limitation, punitive damages, liabilities, costs and expenses, losses, diminutions in value, fines, penalties, injunctions, demands, claims, injuries, cost recovery actions, lawsuits, administrative proceedings, orders, response action costs (including, but not limited to, the cost of any investigation, testing, monitoring, repair, cleanup, detoxification or corrective or remedial action), compliance costs, consultants' fees, attorneys' and paralegals' fees, and litigation expenses.

Section 1.21. Effective Date. The date on which the Contractor takes responsibility for the day-to-day operation and maintenance of the Airport Facilities, which date shall be 12:01 a.m., Indianapolis time, on October 1, 1995, or a different date mutually agreed upon by the Authority and the Contractor.

Section 1.22. Enplaned Passengers. Ticketed passengers departing Indianapolis International Airport on a scheduled or charter airline. The term Enplaned Passengers includes both originating and transfer passengers. It excludes (a) passengers who do not deplane at Indianapolis International Airport to change airplanes, (b) crew members, (c) non-revenue passengers, and (d) general aviation passengers.

Section 1.23. Environmental Claim. Any investigation, notice, violation, demand, allegation, action, suit, injunction, judgment, order, consent decree, penalty, fine, lien, proceeding or claim (whether administrative, judicial or private in nature) arising (a) pursuant to, or in connection with, an actual or alleged violation of, any Environmental Law, (b) in connection with any Hazardous Material or actual or alleged Hazardous Material Activity, (c) from any abatement, removal, remedial, corrective or other response action in connection with a Hazardous Material, a Hazardous Material Activity or an Environmental Law or (d) from any actual or alleged damage, injury, threat or harm to health, safety, natural resources or the environment.

Section 1.24. Environmental Law. Any current or future Legal Requirement pertaining to (e) the protection of health, safety, and the indoor or outdoor environment, (f) the conservation, management or use of natural resources and wildlife, (g) the protection or use of surface water and groundwater, (h) the management, manufacture, possession, presence, use, generation, transportation, treatment, storage, disposal, Release, threatened Release, abatement, removal, remediation or handling of, or exposure to, any Hazardous Material or (i) pollution (including any Release to air, land, surface water, and groundwater), including, without limitation, CERCLA, RCRA, Federal Water Pollution Control Act, as amended, 33 USC 1251 *et seq.*, Clean Air Act of 1966, as amended, 42 USC 7401 *et seq.*, Toxic Substances Control Act of 1976, 15 USC 2601 *et seq.*, Hazardous Materials Transportation Act, 49 USC 5101 *et seq.*, Occupational Safety and Health Act of 1970, as amended, 29 USC 651 *et seq.*, Oil Pollution Act of 1990, 33 USC 2701 *et seq.*, Emergency Planning and Community Right-to-Know Act of 1986, 42 USC 11001 *et seq.*, National Environmental Policy Act of 1969, 42 USC 4321 *et seq.*, Safe Drinking Water Act of 1974, as amended, 42 USC 300(f) *et seq.*, The Aviation Safety and Noise Abatement Act of 1979, Indiana Code 13-1-1 *et seq.*, Indiana Code 13-1-3 *et seq.*, Indiana Code 13-7 *et seq.*, and any similar, implementing or successor law, and any amendment, rule, regulation, order, or directive issued thereunder.

Section 1.25. Environmental Record. Any document, correspondence, pleading, report, assessment, analytical result, Governmental Approval or other record concerning a Hazardous Material, compliance with an Environmental Law, an Environmental Claim or other environmental subject.

Section 1.26. Equipment. All Vehicles, machinery, structures, components, parts, and materials contained within the Airport Facilities which are utilized in the operation and maintenance of the Airport Facilities.

Section 1.27. Event of Default. The occurrences described in Article XV herein which constitute an Event of Default under this Agreement.

Section 1.28. Federal Aviation Administration or FAA. The Federal Aviation Administration created under the Federal Aviation Act of 1958, as amended, or any successor agency thereto.

Section 1.29. Governmental Approval. Any permit, license, variance, certificate, consent, letter, clearance, closure, exemption, decision, decree, order, action or approval of a Governmental Authority.

Section 1.30. Governmental Authority. Any international, federal, state, regional, county or local entity, agency or body, or subdivision thereof, having governmental or quasi-governmental authority.

Section 1.31. Guarantee. The guarantee of the Contractor as set forth in Section 6.03 herein.

Section 1.32. Hazardous Material. Any substance, chemical, compound, product, solid, gas, liquid, waste, by-product, pollutant, contaminant or material which is hazardous or toxic, and includes, without limitation, (j) asbestos, polychlorinated biphenyls, and petroleum (including crude oil or any fraction thereof) and (k) any such material classified or regulated as "hazardous" or "toxic" pursuant to any Environmental Law.

Section 1.33. Hazardous Material Activity. Any activity, event or occurrence involving a Hazardous Material, including, without limitation, the manufacture, possession, presence, use, generation, transportation, treatment, storage, disposal, Release, threatened Release, abatement, removal, remediation or handling of, or corrective or response action to, any Hazardous Material.

Section 1.34. IAA Board. The Board of Directors of the Authority.

Section 1.35. IAA Board President. The President of the IAA Board.

Section 1.36. ITFA Leases. Collectively and individually, the Lease Agreement dated December 1, 1991, by and between the Indiana Transportation Finance Authority, as landlord, and the Authority, as tenant, and the Lease Agreement dated November 1, 1992, by and between the Indiana Transportation Finance Authority, as landlord, and the Authority, as tenant, each as supplemented or amended from time to time.

Section 1.37. Indianapolis International Airport. The Indianapolis International Airport owned by the Authority.

Section 1.38. Legal Requirement. Any treaty, convention, statute, law, rule, code, regulation, ordinance, permit, Governmental Approval, injunction, judgment, order, directive, consent decree or other enforceable requirement of any Governmental Authority.

Section 1.39. Material Adverse Effect. Any changes or effects that individually or in the aggregate are or are reasonably likely to be materially adverse to (a) the assets, business, operations, income or condition (financial or otherwise) of the applicable party or entity, (b) transactions contemplated by this Agreement, (c) the ability of a party to perform its respective obligations under this Agreement, or (d) the condition or fair market value of the Airport Facilities.

Section 1.40. Net Airline Cost. The actual operating costs and actual capital costs of the Airport Facilities minus actual non-airline revenues calculated on a consistent basis in accordance with the past practice of the Authority and the Airlines. The Net Airline Cost is computed by subtracting the total of those items on lines _____ through _____ on Schedule 1.11 attached hereto within the section entitled "Non-Airline Revenue" from the total of those items on lines _____ through _____ on Schedule 1.11 attached hereto within the sections entitled "Operating Expenses" and "Capital and Other Airline Costs."

Section 1.41. Operating Documents. All existing warranties, guarantees, contracts, easements, and licenses that have been granted to the Authority as the owner or lessor of the Airport Facilities and Equipment, specifically relating to the Equipment and other tangible property used in the operation of the Airport Facilities, but not including the Authority Agreements.

Section 1.42. Parent Company. BAA plc.

Section 1.43. Projected Enplaned Passengers. The estimated total number of Enplaned Passengers for each Agreement Year as reflected in the Baseline Projection.

Section 1.44. RCRA. The Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 and subsequent amendments, 42 USC 6901 *et seq.*, and any future amendments.

Section 1.45. Release. Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the indoor or outdoor environment, including, without limitation, the abandonment or discarding of barrels, drums, containers, tanks, and other receptacles containing or previously containing any Hazardous Material.

Section 1.46. RFP. The Authority Request for Proposals dated September 23, 1994.

Section 1.47. Tax-Exempt Obligations. Any obligations issued by, or for the benefit of, the Authority (whether such obligations are now outstanding or hereafter issued), the interest on which is excludable from gross income for federal income tax purposes pursuant to Section 103 of the Code (or any successor or similar provision of federal tax law hereafter enacted in lieu of Section 103 of the Code).

Section 1.48. Terminal. The terminal at the Indianapolis International Airport.

Section 1.49. Terminal Services Component. All management and services provided inside the Terminal and other services related to grounds and terminal maintenance and passenger service at the Indianapolis International Airport, including those services more fully described in Section 3.06 herein.

Section 1.50. Termination Date. The date on which this Agreement terminates and is no longer in force or effect, which date shall be the tenth (10th) anniversary of the Effective Date unless extended or earlier terminated as provided herein.

Section 1.51. Transition Plan. The written transition plan submitted by the Contractor to the Authority prior to the Effective Date.

Section 1.52. Unforeseen Circumstances. Any event or condition which has a material effect on the rights or obligations of the parties to this Agreement or upon the Airport Facilities, including their operation and maintenance, which is beyond the reasonable control of the party relying thereon as justification for a delay in, or non-performance of, action required under this Agreement, including but not limited to (i) an act of God, lightning, earthquake, tornado, fire, explosion, flood, acts of a public enemy, war, blockade, sabotage, insurrection, riot or civil disturbance; (ii) preliminary or final order of any Governmental Authority; (iii) any change in any Legal Requirement; (iv) labor disputes, strikes, work slowdowns or work stoppages, provided that the Contractor undertakes its best efforts to resolve such matters through any lawful means, and provided further, the ultimate resolution of any such disputes shall be within the sole discretion of the Contractor; and (v) loss of, or inability to obtain, service from a utility necessary for the operation and maintenance of the Airport Facilities.

Section 1.53. Vehicles. All cars, trucks, vans or other modes of transportation owned or leased by the Authority and used in connection with operation of the Airport Facilities for transporting people or things or used for other necessary functions in the operation or maintenance of the Airport Facilities.

ARTICLE II.

SPIRIT OF AGREEMENT

It is the intent of the Authority and the Contractor that both parties shall benefit from the execution and performance of this Agreement. Specifically, the Authority will benefit from being able to offer reductions in the Net Airline Cost on a per Enplaned Passenger basis due to savings in operating costs or increases in non-airline revenues without a deterioration in the quality of service, and the Contractor will benefit from the receipt of compensation. If, because of Unforeseen Circumstances, one party appears to benefit and the other does not or there is an apparent relative disparity in benefit, it is agreed that the parties to this Agreement will resolve all such issues in accordance with the provisions of Article XVI herein. It is intended that the Contractor shall not be subject to windfall improvements or risks not subject to its control.

ARTICLE III.

GENERAL RIGHTS AND RESPONSIBILITIES OF CONTRACTOR

Section 3.01. Relationship of Parties. The relationship of the parties to this Agreement shall be that of owner and independent contractor except as may otherwise be specifically stated herein. The Authority is owner of the Airport Facilities and the Contractor shall act as an independent contractor to the Authority for the safe, professional, and cost efficient management and operation of the Airport Facilities.

Section 3.02. Appointment of Contractor.

(a) The Contractor shall have the exclusive right, during the Term and any Renewal Term (as such terms are defined in Article V of this Agreement), to serve as the independent contractor to the Authority for the operation, maintenance, and management of the Airport Facilities in accordance with the terms of this Agreement. The Contractor shall also provide input and recommendations to the Authority with respect to the establishment by the Authority of policy, plans, budgets, rules, and regulations for the management, operation, and development of the Airport Facilities. The Contractor shall assist the Authority, to the degree that may be specified by the Authority, with respect to the Authority's dealings with all applicable federal and state authorities; provided, however, that the Authority shall remain solely responsible to the FAA for the compliance with the Authority's obligations under the law and under federal grant agreements. For services which are already provided for under any of the Authority Agreements or any other leases, agreements, contracts, documents, and instruments to which the Authority is a party, the Contractor shall administer those agreements until their expiration, renewal, termination or re-bid in accordance with their terms.

(b) The Contractor shall have the right and responsibility, within the parameters of the established policies, plans, and budgets of the Authority, and within the parameters of all applicable Legal Requirements and in accordance with all applicable contracts and agreements, to carry out its obligations under this Agreement in the manner it shall, in its best professional judgment, determine to be the safest, best, and most cost efficient.

(c) Subject to the limitations set forth in Section 9.01 herein, the Contractor shall have the right to hire, employ, and sub-contract with such persons as the Contractor shall deem necessary or desirable for the operation, maintenance, and management of the Airport Facilities, including without limitation, specialists in such areas as legal, retail marketing, and real estate. The Authority authorizes the Contractor and its employees, contractors, and agents to enter upon and use all parts of the Airport Facilities and grants the Contractor and its employees, contractors, and agents the right to use all assets owned or leased by the Authority.

(d) The Contractor shall not conduct operations in or on the Airport Facilities in a manner which in the reasonable judgment of the Authority:

- (1) interferes with the reasonable use by others of the Airport Facilities;
- (2) hinders police, fire fighting or other emergency personnel in the discharge of their duties at the Airport Facilities;
- (3) would constitute a hazardous condition at the Airport Facilities;
- (4) would involve any illegal purpose;
- (5) is not materially in accordance with the Contractor's Proposal; or
- (6) is not in accordance with the commitment of the Contractor to provide first class food, beverage, and retail facilities and services at the Airport Facilities.

Section 3.03. Contract Administration.

(a) The Contractor shall administer and enforce on behalf of and in the name of the Authority all of the Authority Agreements or any other leases, agreements, contracts, documents, and instruments to which the Authority is a party, consistent with the terms of this Agreement and in a manner that the Contractor shall deem necessary or desirable for the efficient operation, maintenance, and management of the Airport Facilities including, without limitation, the collection and payment of all sums due under the Authority Agreements or any other leases, agreements, contracts, documents, and instruments to which the Authority is a party and the giving and receiving of notices and requests to and from the parties to the Authority Agreements or any other leases, agreements, contracts, documents, and instruments to which the Authority is a party. Without limiting the foregoing, the Authority specifically authorizes the Contractor to request and demand all rent and other such charges and to institute legal proceedings through such collection agencies or law firm(s) as the Contractor shall deem necessary or appropriate, on behalf of, and in the name of, the Authority. All rent and other charges shall be paid directly to the Authority. All actions taken by the Contractor pursuant to this Section 3.03(a) shall be ratified and confirmed by the IAA Board as necessary or appropriate.

(b) Consistent with the terms of the Delegation of Authority document attached hereto as Schedule 4.01 and Section 9.01 herein, the Contractor shall negotiate and execute on behalf of and in the name of the Authority, all contracts, documents, and agreements and any extensions, renewals, modifications, supplements or terminations thereof; provided, however, that the obligations of the Authority under such agreements shall not exceed the Annual Operating Budget.

Section 3.04. Appointment of Airport Director.

(a) The Contractor shall at all times employ a person designated as the Airport Director who shall, among his or her other duties, serve as the Contractor's liaison with the Authority and who shall be the Contractor representative primarily responsible for dealing with the IAA Board. The Contractor has appointed David Roberts as the Airport Director. Any change in the Airport Director shall be subject to the prior approval of the IAA Board.

(b) The Airport Director shall meet and communicate with the IAA Board President on a regular basis. In particular, and without limitation, the Airport Director shall, as timely as reasonably possible, inform the IAA Board President of all emergencies and the occurrence of all Unforeseen Circumstances relating to the Airport Facilities which an independent contractor would be expected to report to an owner under customary and prudent business practices.

(c) The Contractor, through the Airport Director, shall timely advise the IAA Board President of any and all conditions, circumstances, issues, suggestions, recommendations, and the like relating to the Airport Facilities which are either required by the terms hereof to be brought, or which the Contractor may reasonably believe should be brought, to the attention of the Authority as owner of the Airport Facilities. In this regard, the Contractor shall at all times bring to the attention of the Authority all matters of which the Contractor is or reasonably should be aware materially affecting the safe, professional, and cost efficient management, operation, and development of the Airport Facilities in a first class manner.

Section 3.05. Tax Matters. The Contractor irrevocably determines and states (which shall be deemed to be an irrevocable election within the meaning of Section 142(b)(1)(B)(i) of the Code) that it will not claim depreciation or investment credit with respect to any of the Airport Facilities financed by the net proceeds of Tax-Exempt Obligations. As and to the extent instructed from time to time by the Authority, the Contractor shall not take, or cause or permit to be taken by it or by any party under its control, or fail to take or cause to permit to be taken by it or by any party under its control, any action in connection with the management and operation of the Airport Facilities (or as is otherwise related to the Airport Facilities) that in the reasonable judgment of the Authority would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the Tax-Exempt Obligations. If any action taken under the preceding sentence changes the scope of the services to be provided under this Agreement, the Authority and the Contractor shall make an appropriate adjustment to the Baseline Projection. The Authority shall retain complete control over the tenancies created pursuant to the ITFA Leases. Notwithstanding anything else contained herein, the Contractor shall have no liability to the owners of any existing or future Tax-Exempt Obligations. The Authority represents that the execution and performance of this Agreement will not result in the loss of the exclusion from gross income for federal income tax purposes of interest on the Tax-Exempt Obligations.

Section 3.06. Scope of Services. The Authority hereby contracts with the Contractor for the exclusive right to provide professional services hereinafter described, which services the Contractor hereby agrees to render in accordance with the terms of this Agreement, including the schedules attached hereto:

(a) The Terminal Services Component includes, but is not limited to, all of the following services:

- (1) Terminal Maintenance and Janitorial;
- (2) Terminal Operation;
- (3) Terminal Concessions;
- (4) Parking and Rental Car;
- (5) Terminal Advertising;
- (6) Grounds Maintenance;
- (7) Terminal Security;
- (8) Planning and Engineering for Terminal; and
- (9) Terminal Land Development.

(b) The Airfield Support Services Component includes, but is not limited to, all of the following services:

- (1) Airfield Maintenance and Snow Removal;
- (2) Ramp Operations;
- (3) Airfield Signage and Navigation;
- (4) Fire and Rescue;
- (5) Reliever and General Aviation Airports and Heliport;
- (6) Non-Terminal Buildings Maintenance;
- (7) FBO and GA Facilities Maintenance;
- (8) Vehicle Maintenance;
- (9) Intermodal and Cargo Support;
- (10) Planning and Engineering for Airfield;
- (11) De-icing;

- (12) Airside Land Development;
- (13) Airside Security; and
- (14) Fuel Farms and Fill Stands.

(c) The Administrative Services Component includes, but is not limited to, all of the following services:

- (1) Finance and Accounting;
- (2) Grant Management (subject to ultimate control by the Authority over grant assurance compliance);
- (3) Management Information Systems;
- (4) Public Relations, including noise abatement programs;
- (5) Human Resources Management;
- (6) Purchasing and Contracts Management;
- (7) Administration of Bond Issuance and PFC Collection and Accounting;
- (8) Land Acquisition and Relocation Implementation;
- (9) Legal; and
- (10) Marketing of Indianapolis International Airport.

The planning functions contained in this Section 3.06 shall include strategic planning to the extent such planning previously was performed by staff of the Authority. Where such planning moves to the stage where it would normally be contracted out by the Authority, such costs shall be capitalized as appropriate and the Authority and the Contractor shall discuss and agree upon appropriate compensation to the Contractor for such services and such costs shall be at the expense of the Authority. In addition, the Contractor shall have the right to propose to the Authority initiatives (i) to provide competitively, as appropriate, goods and services to users of the Airport Facilities outside the scope of this Agreement (such as passenger security checks), and (ii) to contract with the Authority on the same basis as other third parties (such as obtaining ground leases for development purposes). All revenue received by the Contractor from these initiatives which are approved by the Authority shall be retained by the Contractor for its own account.

Section 3.07. Cooperation. The Contractor shall at all times act in good faith and cooperate fully with (i) the Authority, its agents, employees, contractors, subcontractors, and concessionaires, (ii) any Airline, its agents, employees, contractors, and subcontractors, (iii) any other parties leasing or using space or providing services in the Airport Facilities, and (iv) the patrons of the Airport Facilities. If this Agreement is terminated for any reason, or if it is to expire on its own terms, the Contractor shall make every effort to assure to the fullest extent possible under the circumstances (i) an orderly transition to another provider of the services required under this Agreement, (ii) an orderly demobilization of its own operations in connection with the such services, (iii) uninterrupted provision of such services during any transition period, and (iv) compliance with the reasonable requests and requirements of the Authority in connection with such termination or expiration.

Section 3.08. Contractor's Office and Parking. Consistent with current practice, the Authority shall provide for the Contractor throughout the Term and any Renewal Term, (i) rent free, such office space at the Airport Facilities as may be necessary or appropriate to carry out the Contractor's obligations under this Agreement, and (ii) rent free parking spaces at the Airport Facilities for employees of the Contractor designated by the Contractor.

ARTICLE IV.

GENERAL RIGHTS AND RESPONSIBILITIES OF AUTHORITY

Section 4.01. Retained Authority Powers. The Authority, as owner of the Airport Facilities, shall retain under its direct control and shall provide certain strategic and policy making functions with respect to the Airport Facilities, as set forth in Schedule 4.01 attached hereto, including, but not limited to:

- (1) On-going compliance with all applicable airline use agreements;
- (2) Final Assurance of FAA/AIP Regulatory and Grant Assurance Compliance;
- (3) Passenger and Cargo Air Service Development Policy Formulation and Implementation;
- (4) Policy for Issuance of Debt in the Authority's Name (or which would encumber the Authority's Assets);
- (5) Aviation Rates and Charges Regulation;
- (6) Long-Range Planning;

- (7) Land Acquisition and Development Policy Formulation and Implementation Planning;
- (8) Airport Industrial and Economic Development Policy Formulation and Implementation Planning;
- (9) Wetlands and Environmental Policy;
- (10) Capital Expenditure Policy; and
- (11) Any powers, rights or duties of the Authority or the IAA Board under I.C. 8-22-3 et seq. unless otherwise contractually delegated to the Contractor under this Agreement.

The Authority shall have the right to make any and all of its determinations regarding the Airport Facilities in the manner it solely decides, consistent with any Legal Requirement, to be in the best interests of the Authority, the City of Indianapolis, its residents, the traveling public, the Airport Facilities, and those operating at and using the Airport Facilities.

Section 4.02. Contract Compliance. The Authority may employ or engage one or more persons who shall assist the IAA Board President and the IAA Board in monitoring compliance by the Contractor with the terms of this Agreement. The Airport Director shall not report to any such persons but shall cooperate with them at all times. The Contractor shall provide information promptly to such persons upon their reasonable request.

Section 4.03. Operation Pending Effective Date. Until the Effective Date, the Authority shall operate and maintain the Airport Facilities in the normal course of business.

Section 4.04. Necessary FAA Approvals. The Authority shall assist the Contractor in securing any appropriate approvals from the FAA for the Contractor to operate and maintain the Airport Facilities under the Authority's FAA Operating Certificate. The Authority and the Contractor jointly shall cooperate so as to maintain the FAA Operating Certificate throughout the Term and any Renewal Term. This Agreement shall be of no force or effect unless such approvals are obtained from the FAA prior to the Effective Date.

Section 4.05. Authority Expenditures. The Authority anticipates that during the Term and any Renewal Term it will incur costs for Capital Improvements in a manner similar to that which is reflected in the Baseline Projection and will not unreasonably withhold such expenditures within those figures.

Section 4.06. Authority Costs. Notwithstanding anything herein, all costs and expenses related or attributable to (i) closing and maintaining security for the Speedway Airport, and (ii) opening the Hendricks County Airport, shall be at the expense of the Authority. The Contractor shall, at the request of the Authority, prepare and implement a plan for the closing of the Speedway Airport and for the opening of the Hendricks County Airport.

Section 4.07. Tax Matters. The Authority shall retain ownership of the Airport Facilities for federal tax purposes including, specifically, ownership for purposes of Section 142(b)(1)(A) of the Code. The Authority and the Contractor intend to satisfy Section 142(b)(1)(B) of the Code (and general federal tax law) for having the Airport Facilities treated as owned by the Authority for purposes of Section 142(b)(1)(A) of the Code. The Authority shall retain all interests, rights, obligations, and duties as tenant under the ITFA Leases. The Authority shall retain complete control over the tenancies created pursuant to the ITFA Leases.

ARTICLE V.

TERM OF AGREEMENT

Section 5.01. Term. The term of this Agreement (hereinafter referred to as the "Term") shall commence on the Effective Date and shall expire on the tenth (10th) anniversary of the Effective Date, unless extended or sooner terminated in accordance with the provisions herein.

Section 5.02. Renewal Term. The Authority and the Contractor may extend the Term for an additional period of not more than ten (10) years (hereinafter referred to as the "Renewal Term"). At any time during the seventh (7th) Agreement Year, the Contractor may propose that this Agreement be extended for the Renewal Term. Assuming that the Contractor has delivered high quality service under this Agreement and has complied with the terms and conditions contained herein, the Authority may extend this Agreement for a duration and upon terms and conditions mutually acceptable to the Authority and the Contractor; provided, however, that the Authority has no obligation to extend the Agreement for the Renewal Term.

ARTICLE VI.

COMPENSATION

Section 6.01. Compensation. In exchange for the services to be provided by the Contractor hereunder, the Authority shall pay the Contractor a management fee based upon the improvements in the Net Airline Cost on a per Enplaned Passenger basis as compared to the Adjusted Baseline on a per Enplaned Passenger basis. The Contractor shall receive no fixed compensation.

Section 6.02. Method of Compensation.

(a) The Contractor and the Authority shall share any improvement in the Net Airline Cost on a per Enplaned Passenger basis from the Adjusted Baseline on a per Enplaned Passenger basis assuming that the Guarantee is delivered.

(b) It is the intent of the Authority and the Contractor that the risk associated with the operation and maintenance of the Airport Facilities and the delivery of improvements in the Net Airline Cost on a per Enplaned Passenger basis after the Effective Date properly rests with the Contractor except (i) for costs or expenses which relate to act(s) or omission(s) of the Authority or its agents (not including the Contractor, its employees and agents) or to the existence of a condition at the Airport Facilities prior to the Effective Date or which relate to any increases in operating expenses or decreases in non-airline revenues which are imposed on the Contractor by the Authority, and (ii) for those items which adjust the Baseline Projection as provided below. The Baseline Projection shall be adjusted on an annual basis to develop the Adjusted Baseline so that the foregoing and the following will be neutral when comparing the Net Airline Cost on a per Enplaned Passenger basis to the Baseline Projection on a per Enplaned Passenger basis. The Baseline Projection shall be adjusted in the same manner to render neutral the effect of the following:

- (1) Capital and Other Airline Costs (as such term is defined in the Baseline Projection);
- (2) Authority contract compliance costs;
- (3) Sixty percent (60%) of voluntary severance costs;
- (4) Across the board car parking fee increases or decreases over and above the CPI;
- (5) The impact of changes in accounting regulations and policies or any Legal Requirement;
- (6) Any cost or liability stated in this Agreement to be an Authority cost or liability;
- (7) Except for capital invested by the Contractor pursuant to Section 11.06 herein, adjustments necessary to provide BAA with the return of the cost of capital invested by it and a sharing of the financial benefit of a project as approved by the Authority pursuant to Article XI herein;
- (8) Any defaults by the Airlines in the payment of amounts owed to the Authority and any other bad debts of the Authority except with respect to any contracts entered into by or upon the recommendation of the Contractor after the Effective Date;
- (9) As to Capital Expenditures, the Contractor may at its sole option, take any cost savings in Capital Expenditures as a savings in any Agreement Year or, alternatively, roll over such amount into the Baseline Projection for the following Agreement Year and any subsequent Agreement Year until such cost savings in Capital Expenditures is captured in the Annual Operating Budget;
- (10) Inflation based on the CPI (excluding any leases in the Baseline Projection that have inflation already reflected therein); and
- (11) Such other reconciliations as shall be agreed upon by the Contractor and the Authority.

Provided, however, that none of the above listed items shall result in an adjustment to the Baseline Projection if the reason for the adjustment is the result of the negligent act(s) or omissions(s) or willful or intentional misconduct of the Contractor, its employees or agents.

(c) The Contractor shall have one hundred eighty (180) days from the Effective Date within which to identify any (i) leases, agreements, contracts, documents or instruments to which the Authority is a party, or (ii) circumstances or inappropriate operating practices relating to the Airport Facilities, which had not previously been disclosed to the Contractor and which have the effect of either increasing operating expenses or decreasing non-airline revenues ("Post Effective Date Contingencies"). Prior to the expiration of such one hundred eighty (180) day period, the Contractor shall give written notice to the Authority of any Post Effective Date Contingencies, unless the circumstances are seasonal in nature beyond such one hundred eighty (180) day period, in which case the period shall be three hundred sixty (360) days. The Authority and the Contractor shall agree to any adjustment in the Baseline Projection to make the Post Effective Date Contingencies neutral consistent with the provisions of Section 6.02(a) herein.

(d) The Contractor and the Authority shall share any improvement in the Net Airline Cost on a per Enplaned Passenger basis from the Adjusted Baseline on a per Enplaned Passenger basis in each Agreement Year in the following proportions:

	<u>Contractor</u>	<u>Authority</u>
Year 1	40%	60%
Year 2	35%	65%
Year 3-10	30%	70%

(e) Any compensation earned by the Contractor shall be calculated by (i) determining the difference between (w) the Net Airline Cost on a per Enplaned Passenger basis and (x) the Adjusted Baseline on a per Enplaned Passenger basis for the applicable Agreement Year and then (ii) multiplying the difference times (y) the actual number of Enplaned Passengers for the applicable Agreement Year and (z) the Contractor's sharing percentage set forth above. [The formula is (x minus w) times y times z = Contractor's compensation.]

(f) In addition to the compensation outlined in subparagraph (a) above, the Contractor shall also be eligible during the second Agreement Year and any subsequent Agreement Year for an additional five percent (5%) quality bonus (in addition to the Contractor's percentage set forth in Section 6.02(d) herein) of any improvement which recognizes improvements made by the Contractor over certain quality targets. Such quality targets shall be mutually agreed upon by the Authority and the Contractor during the budget process each Agreement Year.

Section 6.03. Guarantee.

(a) As an inducement to the Authority to enter into this Agreement, the Contractor hereby guarantees a minimum annual improvement of the Net Airline Cost on a per Enplaned Passenger basis in each Agreement Year from the Adjusted Baseline on a per Enplaned Passenger basis as follows:

	<u>Guaranteed Improvement Per Enplaned Passenger (1994 Dollars)</u>	<u>Equivalent Total Improvement (Based on Projected Enplaned Passengers) (1994 Dollars)</u>
Year 1	\$.148	\$499,335
Year 2	.570	\$2,000,039
Year 3	.685	\$2,499,698
Year 4	.685	\$2,599,686
Year 5	.685	\$2,703,673
Year 6	.685	\$2,795,598
Year 7	.685	\$2,890,649
Year 8	.685	\$2,988,930
Year 9	.685	\$3,090,554
Year 10	.685	<u>\$3,195,632</u>
Total		\$25,263,794

The Guarantee shall be adjusted each Agreement Year by the CPI and by changes in the actual number of Enplaned Passengers.

Section 6.04. Disbursement of Funds. All revenues of the Authority shall be deposited by the Contractor into the bank account of the Authority. All disbursements by the Contractor for operating expenses (including staff costs) of the Airport Facilities and Capital Expenditures within the Annual Operating Budget shall be paid by the Contractor from monies provided by the Authority pursuant to this Section 6.04. No less frequently than once a month, the Contractor shall submit to the Authority an itemized statement of operation and maintenance expenses for the Airport Facilities which are to be paid by the Contractor. The manner of payment from the Authority to the Contractor shall be as follows:

(a) From the Effective Date until December 31, 1995 (the "1995 Short Period"), and for calendar years beginning January 1, 1996 and thereafter, the Contractor shall be paid in advance on the first Business Day of each month, a sum equal to one-twelfth (1/12th) times the Annual Operating Budget for the applicable year. For Capital Improvements, the Contractor shall be paid in arrears within seven (7) days of the last day of each month, a sum equal to the expenditures incurred by the Contractor in such month. In the event that it becomes necessary for the Contractor to propose an increase to the Annual Operating Budget because of unanticipated operating expenses, the monthly amount payable to the Contractor shall be adjusted proportionately upon approval of the amendment to the Annual Operating Budget. On a monthly basis, the Contractor shall provide an itemized statement of operating expenses incurred no later than the fifteenth (15th) day of the month following. Any difference between the amount paid in advance by the Authority to the Contractor and the actual operating expenses incurred shall be reconciled on a monthly basis and shall adjust the following monthly payment.

(b) If the Contractor shall have received payments in excess of an amount equal to the applicable Annual Operating Budget (the "Overpayment"), then the Contractor shall pay the Authority the amount of the Overpayment within fourteen (14) days of the submission of the itemized statement set forth in Section 6.04(a) herein. If the Contractor shall have received payments less than an amount equal to the applicable Annual Operating Budget (the "Underpayment"), then the Authority shall pay the Contractor the amount of any Underpayment within fourteen (14) days of the submission of the itemized statement set forth in Section 6.04(a) herein. Provided, however, that the payment of any Underpayment by the Authority shall always be subject to the provisions of Section 6.03 herein regarding the delivery of improvement in Net Airline Cost.

Section 6.05. Annual Reconciliation. For the first Agreement Year and every Agreement Year thereafter, the Authority and its independent auditors shall report the improvement in the Net Airline Cost on a per Enplaned Passenger basis from the Adjusted Baseline on a per Enplaned Passenger basis for the prior year no later than March 31. The Contractor and its independent auditors shall review such report and supporting work papers to confirm the improvement in the Net Airline Cost on a per Enplaned Passenger basis from the Adjusted Baseline on a per Enplaned Passenger basis for the prior year and shall have a period of twenty-eight (28) days following the delivery of such report to approve it. If the Contractor fails to object to the report within such period, then the report shall be deemed to have been approved. The review shall compare the actual improvement in the Net Airline Cost on a per Enplaned Passenger basis from the Adjusted Baseline on a per Enplaned Passenger basis for the applicable year to the Guarantee for the applicable year as set forth in Section 6.03 herein. If the Guarantee has not been delivered, then the Contractor shall pay the Authority within fourteen (14) days the difference between the actual improvement in the Net Airline Cost on a per Enplaned Passenger basis from the Adjusted Baseline on a per Enplaned Passenger basis and the Guarantee. The Contractor, at its expense, shall have its independent auditors audit the 1995 Short Period. The audit of the 1995 Short Period shall be used by the Contractor to demonstrate any improvement in the Net Airline Cost on a per Enplaned Passenger basis from the Adjusted Baseline on a per Enplaned Passenger basis for the 1995 Short Period.

Section 6.06. Accounting System and Financial Data. The Contractor agrees to maintain its accounting system and financial data so as to allow the inspection thereof by Authority representatives during normal business hours.

Section 6.07. Special Adjustments. The Baseline Projection shall be subject to annual adjustments (a) if actual Enplaned Passengers increase or decrease by more than ten percent (10%) when compared to the Projected Enplaned Passengers for the applicable Agreement Year as projected in 1994 and reflected on the Baseline Projection, and (b) any extraordinary items agreed to by the Authority and the Contractor. If there is a change in Enplaned Passengers in excess of ten percent (10%), the Contractor and the Authority shall discuss and negotiate in good faith the appropriate adjustment to the Baseline

Projection. Any changes in actual Enplaned Passengers which do not exceed ten percent (10%) shall not adjust the Baseline Projection.

Section 6.08. Interest. If either party hereto fails to make payment to the other party within ten (10) days when due of any undisputed amount due such party pursuant to the terms of Section 6.04 herein, then the party who failed to make payment shall pay interest to the other party on such undisputed amount at a per annum rate based on a 360-day year equal to the sum of the prime rate of interest then quoted by NBD Bank, Indiana (or successor financial institution) plus two percent (2%) per annum.

Section 6.09. Apportionment. During the 1995 Short Period and within two calendar months of the Termination Date, the Contractor shall prepare a statement of operating expenses and Capital Expenditures incurred relating to the period prior to (a) the Effective Date and (b) the Termination Date, as appropriate, which such statement shall apportion such sums as of such applicable date. Each such statement shall be submitted to the Authority and if such statement is not objected to by the Authority within seven (7) days of receipt by the Authority of the statement submitted during (a) the 1995 Short Period and (b) the end of such two calendar months, as appropriate, such statement shall be binding upon the Authority and the Contractor. In respect of the statement prepared as of the Effective Date, the Authority shall bear all responsibility for pre-existing operating expenses and Capital Expenditures. In respect of the statement submitted as of the Termination Date, the statement shall be used to calculate and adjust the calculation of the compensation payable to the Contractor for the period ending on the Termination Date.

Section 6.10. Baseline Projection Conversion. Prior to the first anniversary date of this Agreement, the Baseline Projection (which has been prepared on an encumbrance basis) shall be converted to an accrual basis. The Contractor shall prepare and submit to the IAA Board the converted Baseline Projection for approval by the IAA Board. The Baseline Projection shall be adjusted if, during the conversion process, matters are discovered which adversely affect the Contractor's performance and right to compensation under this Agreement.

ARTICLE VII.

REPRESENTATIONS AND WARRANTIES OF CONTRACTOR

BAA USA Holdings, Inc. and BAA Indianapolis LLC, jointly and severally, represent to the Authority as follows:

Section 7.01. Organization; Authorization; etc.

(a) BAA USA Holdings, Inc. is a corporation duly formed and existing under the laws of the State of Delaware, is duly authorized to conduct its business in the State of Delaware and all other states where the failure to obtain such authorization would have a Material Adverse Effect on BAA USA Holdings, Inc., and has the power to enter into this Agreement and any documents related hereto to which it is a party.

(b) BAA Indianapolis LLC is a limited liability company duly formed and existing under the laws of the State of Indiana, is duly authorized to conduct its business in the State of Indiana and all other states where the failure to obtain such authorization would have a Material Adverse Effect on BAA Indianapolis LLC, and has the power to enter into this Agreement and any documents related hereto to which it is a party.

(c) The Parent Company is a corporation duly formed and existing under the laws of England, is duly authorized to conduct its business in countries and states where the failure to obtain such authorization would have a Material Adverse Effect on the Parent Company, and has the power to enter into any documents related hereto to which it is a party.

(d) The execution and delivery of this Agreement was duly authorized by all necessary action of the Contractor, none of which action has been rescinded or otherwise modified. The Contractor has full power and authority to execute and deliver this Agreement and to perform its obligations under this Agreement. Except for any consent from the FAA which is the responsibility of the Contractor to secure, no consents, approvals or permits are required for the performance of the terms and provisions herein, or, if any such consents, approvals or permits are required, they have been or will be, prior to

the Effective Date, obtained. This Agreement is a legal, valid, and binding obligation of the Contractor, enforceable against the Contractor in accordance with its terms.

(e) The execution and delivery of this Agreement and any other documents related thereto to which the Contractor and the Parent Company are a party, the consummation of the transactions contemplated thereby, and the fulfillment of the terms and conditions thereof do not and will not (i) conflict with or result in a breach of any of the terms or conditions of the Articles of Organization or Operating Agreement of BAA Indianapolis LLC, the Certificate of Incorporation or Bylaws of BAA USA Holdings, Inc. or the Articles or Memorandum of Association of the Parent Company, or any restriction or any agreement or instrument to which the Contractor or the Parent Company is now a party or by which it is bound or to which any property of the Contractor or the Parent Company is subject, (ii) constitute a default under any of the foregoing, or, to the best knowledge of the Contractor, cause either of them to be in violation of any order, decree, statute, rule or regulation of any court or any state or federal regulatory body having jurisdiction over the Contractor or the Parent Company or their properties, or (iii) result in the creation or imposition of any lien, charge or encumbrance of any nature upon any of the property or assets of the Contractor or the Parent Company contrary to the terms of any instrument or agreement to which either of them is a party or by which they are bound, except where such breach, default, violation or imposition would not have a Material Adverse Effect on the Airport Facilities, the operation of the Airport Facilities or the ability of the Contractor or the Parent Company to perform its obligations under this Agreement or any other documents related thereto to which it is a party.

Section 7.02. Litigation.

(a) Except for actions, suits, claims, investigations, and proceedings identified in Schedule 7.02 attached hereto, (i) there are no actions, suits, claims, investigations or proceedings pending or, to the best of the Contractor's knowledge, threatened against the Contractor in any court or before any Governmental Authority that relate to its operation and maintenance of airport facilities or that would materially affect the Contractor's entering into, or performance of, this Agreement and, to the best of the Contractor's knowledge, there are no circumstances which might give rise to any such actions, suits, claims, investigations or proceedings, and (ii) the Contractor is not charged by any Governmental Authority with a material violation of or, to the best of the Contractor's knowledge, threatened by any Governmental Authority with a charge of a violation of, any Legal Requirement in a manner that relates to its operation and maintenance of airport facilities or that would materially affect the Contractor's entering into, or performance of, this Agreement.

(b) The Contractor is not subject to any Legal Requirement that would materially affect the Contractor's entering into, or performance of, this Agreement.

Section 7.03. No Default. The Contractor is not in default under, and no condition exists that with notice or lapse of time or both would constitute a default under, (i) any mortgage, loan agreement, lease, lease purchase, indenture or evidence of indebtedness for borrowed money to which the Contractor is a party or by which any material amount of the assets of the Contractor is bound that would materially affect its entering into, or performance of, this Agreement or (ii) any Legal Requirement, which default or potential default could reasonably be expected to have a Material Adverse Effect on the Contractor's ability to perform its obligations under this Agreement.

Section 7.04. Ability to Perform. The Contractor is financially solvent. The Contractor and each of its employees, agents, subcontractors, and contractors are competent to perform the services required under this Agreement.

Section 7.05. Agreement Feasible. The Contractor has carefully examined and analyzed the provisions and requirements of this Agreement. The Contractor understands the nature of the services required under this Agreement. From its own analysis, the Contractor has satisfied itself as to the nature of all things needed for the performance of this Agreement, the general and special conditions, and all other matters which in any way affect this Agreement or its performance. The time available to the Contractor for such examination, analysis, and preparation was adequate subject to other provisions herein regarding claims of the Contractor. This Agreement is feasible of performance in accordance with all of its provisions and requirements.

Section 7.06. Accuracy of Contractor Representations. The representations made by the Contractor in the Contractor's Proposal were true and accurate as of the date they were made and are true and accurate as of the date of this Agreement, except to the extent such representations are modified herein or therein

. The representations made by the Contractor in the Contractor's Proposal did not contain any material misrepresentations or omissions of any material facts as of the date that they were made and the representations made therein, except to the extent such representations are modified herein or therein, and the representations made herein do not contain any material misrepresentations or omissions of any material facts as of the date of this Agreement.

ARTICLE VIII.

REPRESENTATIONS AND WARRANTIES OF AUTHORITY

The Authority represents and warrants to the Contractor that:

Section 8.01. Organization; Authorization; etc.

(a) The Authority is a municipal corporation duly organized and existing under the laws of the State of Indiana and is duly authorized and empowered to enter into and perform this Agreement and to execute all documents related thereto.

(b) The execution and delivery of this Agreement was duly authorized by all necessary governmental action, none of which action has been rescinded or otherwise modified. The Authority has full power and authority to execute and deliver this Agreement and to perform its obligations under this Agreement. Except for any consent from the FAA which is the responsibility of the Contractor to secure, no consents, approvals or permits are required for the execution of this Agreement or to operate the Airport Facilities prior to the Effective Date or the performance of the terms and provisions herein by the Authority, or, if any such consents, approvals or permits are required, they have been or, prior to the Effective Date, will be obtained. This Agreement is a legal, valid, and binding obligation of the Authority, enforceable against the Authority in accordance with its terms.

(c) The execution and delivery of this Agreement and any other documents related thereto to which the Authority is a party, the consummation of the transactions contemplated thereby, and the fulfillment of the terms and conditions thereof do not and will not (i) conflict with or result in a breach of any of the terms or conditions of any restriction or any agreement or instrument to which the Authority is now a party or by which it is bound or to which any property of the Authority is subject, (ii) constitute a default under any of the foregoing, or, to the best knowledge of the Authority, cause the Authority to be in violation of any order, decree, statute, rule or regulation of any court or any state or federal regulatory body having jurisdiction over the Authority or its properties, or (iii) result in the creation or imposition of any lien, charge or encumbrance of any nature upon any of the property or assets of the Authority contrary to the terms of any instrument or agreement to which it is a party or by which it is bound, except where such breach, default, violation or imposition would not have a Material Adverse Effect on the Airport Facilities, the operation of the Airport Facilities or the ability of the Authority to perform its obligations under this Agreement or any other related documents to which it is a party.

Section 8.02. Litigation.

(a) Except for actions, suits, claims, investigations, and proceedings identified in Schedule 8.02 attached hereto, (i) there are no actions, suits, claims, investigations or proceedings pending or, to the best of the Authority's knowledge, threatened against the Authority in any court or before any Governmental Authority that relate to its operation and maintenance of the Airport Facilities or that would materially affect the Authority's entering into, or performance of, this Agreement and, to the best of the Authority's knowledge, there are no circumstances which might give rise to any such actions, suits, claims, investigations or proceedings, and (ii) the Authority is not charged by any Governmental Authority with a material violation of or, to the best of the Authority's knowledge, threatened by any Governmental Authority with a charge of a violation of, any Legal Requirement in a manner that relates to its operation and maintenance of the Airport Facilities or that would materially affect the Authority's entering into, or performance of, this Agreement.

(b) The Authority is not subject to any Legal Requirement that would materially affect the Authority's entering into, or performance of, this Agreement.

Section 8.03. No Default. The Authority is not in default under, and, to the best of its knowledge, no condition exists that with notice or lapse of time or both would constitute a default under, (i) any mortgage, loan agreement, lease, lease purchase, indenture or evidence of indebtedness for borrowed money to which the Authority is a party or by which any material amount of the assets of the Authority

is bound that would materially affect its entering into, or performance of, this Agreement or (ii) any Legal Requirement, which default or potential default could reasonably be expected to have a Material Adverse Effect on the Authority.

Section 8.04. Compliance with Law. Except as otherwise disclosed in Schedule 8.02 attached hereto, the Authority is, to the best of its knowledge, now, and at the Effective Date shall be, in compliance with the terms of all applicable Legal Requirements. To the best of its knowledge, the Authority has properly prepared and timely filed prior to the Effective Date, all permit applications required by any applicable Legal Requirement. Except as otherwise disclosed in Schedule 8.02 attached hereto, there are, to the best of its knowledge, no outstanding complaints, orders, citations, notices or orders of violation or non-compliance issued to the Authority relating to the operation, maintenance or condition of the Airport Facilities.

Section 8.05. Employment: Labor. Except as disclosed in Schedule 8.02 attached hereto and prior to the Effective Date, there are no employment, union or labor agreements or pending or, to the best of the Authority's knowledge, threatened claims or litigation of any nature, applicable to or covering the employment of the employees of the Authority.

Section 8.06. Leases: Agreements. The Authority has provided to the Contractor true and accurate copies of the Authority Agreements. The Authority Agreements are in full force and effect. No default exists under any of the Authority Agreements. To the best knowledge of the Authority, no condition exists that with notice or lapse of time or both would constitute a default under any of the Authority Agreements.

Section 8.07. Inventory and Assets. The spare parts, tools, materials, and supplies at the Airport Facilities on the Effective Date are adequate for the operation and maintenance of the Airport Facilities in accordance with the terms of this Agreement. For purposes of the inventory and assets in existence on the Effective Date, the audit prepared by Geo. S. Olive & Company as of December 31, 1995, shall be utilized.

Section 8.08. Liens: Encumbrances. There are no covenants, restrictions, liens, encumbrances, mortgages or easements with respect to the Airport Facilities which would materially interfere with the Contractor's operation, maintenance or management of the Airport Facilities in accordance with the terms of this Agreement.

Section 8.09. Environmental. Except as set forth in Schedule 8.09 attached hereto (hereinafter referred to as the "Scheduled Conditions"):

- (a) the Authority and the Airport Facilities comply with any applicable Environmental Law;
- (b) to its knowledge, there has been no Release, threatened Release, or disposal of any Hazardous Material at the Airport Facilities in any material quantity, nor are the Airport Facilities adversely affected in any material respect by any Release, threatened Release or disposal of a Hazardous Material originating or emanating from any other property;
- (c) the Airport Facilities do not contain and have not contained any: (i) underground storage tank; (ii) material amounts of asbestos-containing building material; (iii) any landfills or dumps; or (iv) hazardous waste management facility as defined pursuant to RCRA or any comparable state law;
- (d) the Airport Facilities, or any portion thereof, are not on or been nominated for the National Priority List promulgated pursuant to CERCLA or any state remedial priority list promulgated or published pursuant to any comparable state law;
- (d) the Authority has used no material quantity of any Hazardous Material in violation of any Environmental Law and has conducted no Hazardous Material Activity at the Airport Facilities in violation of any Environmental Law;
- (e) to its knowledge: (i) the Authority has no material liability for response or corrective action, natural resource damage, or other harm pursuant to an Environmental Law; (ii) the Authority is not subject to, has no notice or knowledge of, and is not required to give any notice of any Environmental Claim involving the Authority or the Airport Facilities; and (iii) there are no conditions or occurrences at the Airport Facilities which could form the basis for a material Environmental Claim against the Authority or the Airport Facilities;

(f) to its knowledge, the Airport Facilities are not subject to, and the Authority has no knowledge of, any imminent restriction on the operation and management of the Airport Facilities in connection with any (i) Environmental Law or (ii) Release, threatened Release, or disposal of a Hazardous Material; and

(g) the Authority has provided or otherwise made available to the Contractor any Environmental Record concerning the Authority and the Airport Facilities which the Authority possesses or could reasonably have procured.

Section 8.10. Accuracy of Authority Representations. The representations made by the Authority in the RFP and those documents described in Schedule 8.10 attached hereto were true and accurate as of the date they were made and are true and accurate as of the date of this Agreement, except to the extent such representations are modified herein or therein. The representations made by the Authority in the RFP did not contain any material misrepresentations or omissions of any material facts as of the date they were made, and the representations made therein, except to the extent such representations are modified herein or therein, and the representations made herein do not contain any material misrepresentations or omissions of any material facts as of the date of this Agreement.

ARTICLE IX.

COVENANTS OF CONTRACTOR

The following covenants and conditions shall apply during the Term and any Renewal Term:

Section 9.01. Restrictions on Subcontracting. The Contractor shall not subcontract any of its management responsibilities with respect to the operation and maintenance of the Airport Facilities without the prior written consent of the Authority if the annual payments to or from such subcontracting party exceed Fifty Thousand and no/100 Dollars (\$50,000.00) per Agreement Year (which amount may be adjusted from time to time by the mutual agreement of the Contractor and the Authority). The Authority's consent to any subcontract arrangement shall not act as a release or waiver of the Contractor's liabilities under this Agreement.

Section 9.02. Compliance with Law. The Contractor shall comply with all Legal Requirements. The Authority shall cooperate with and assist the Contractor in gathering all reports, forms, statements, and other documentation required by local, state, and federal authorities. Such information shall be provided to the Contractor in a timely manner so as to allow the Contractor adequate time to prepare and submit any necessary documentation within required deadlines. Notwithstanding the foregoing, the Contractor shall have the right to contest in good faith, by appropriate legal proceedings, the validity or application of any Legal Requirement of the nature herein referred to, and if by the terms of any such Legal Requirement, compliance therewith pending the prosecution of any such proceeding may legally be held in abeyance, the Contractor may postpone compliance therewith until the final determination of any such proceedings, provided that all such proceedings shall be prosecuted with all due diligence and dispatch.

Section 9.03. Environmental Compliance. In addition to the obligation to comply with all Legal Requirements as set forth in Section 9.02 herein, the Contractor shall comply with all Environmental Laws in connection with its operation and maintenance of the Airport Facilities after the Effective Date, subject to the right to contest set forth in Section 9.02 herein, including, without limitation, the following: (i) the Clean Air Act, 42 USC 7401 *et seq.*; (ii) the Clean Water Act, 33 USC 1251 *et seq.*; (iii) CERCLA; (iv) RCRA; (v) the Emergency Planning and Community Right-to-Know Act, 42 USC 11001, *et seq.*; (vi) the Toxic Substances Control Act, 15 USC 2601, *et seq.*; (vii) the Aviation Safety and Noise Abatement Act of 1979; (viii) Indiana Code 13-1-1 *et seq.*; (ix) Indiana Code 13-1-3 *et seq.*; (x) Indiana Code 13-7 *et seq.*; (xi) all regulations promulgated in implementation of the foregoing statutes; and (xii) all future amendments to such statutes and regulations. The Contractor shall be responsible for the preparation, on behalf of the Authority, of any and all regulatory filings.

Section 9.04. Delivery of Reports; Cooperation with Authority. The Contractor shall deliver to the IAA Board, at the Contractor's cost, the reports listed on Schedule 9.04 attached hereto, together with additional reports reasonably requested by the IAA Board. In addition, the Contractor shall cooperate and assist the Authority in gathering the information and documentation necessary to complete reports, forms, statements, and other documentation required by any Governmental Authority. Such information shall be provided to the Authority in a timely manner to allow the Authority adequate time to prepare and submit any necessary documentation within required deadlines.

Section 9.05. Transition. The Contractor and the Authority shall each take all necessary steps to ensure a smooth transition on the Effective Date in accordance with the Transition Plan.

Section 9.06. Quality Service Monitor.

(a) The Contractor shall implement its Quality Service Monitor Program (as such term is defined in the Contractor's Proposal). The Quality Service Monitor Program shall include regular surveys of a sample of passengers and other individual users of the Airport Facilities for their opinions on the range of services provided by the Contractor, concessionaires, and service contractors, including questions asked about attitude and helpfulness of staff, cleanliness of the Airport Facilities, crowding levels, waiting times, value for money, security, baggage claim times, parking, etc. The Contractor shall share the results of any such surveys with the IAA Board on at least a quarterly basis.

(b) As part of the Transition Plan, the Contractor shall submit to the Authority, for the Authority's approval, a proposed schedule of quality of service monitoring, which schedule shall thereafter be updated from time to time as agreed upon by the Authority and the Contractor. In addition and also as part of the Transition Plan, the Contractor shall conduct, at the Authority's expense for any out-of-pocket costs associated therewith which are incurred by the Contractor, a market research survey of the individual users of the Airport Facilities so as to establish a base level. Depending upon the results of such quality of service monitoring, the Contractor shall take corrective action by making any necessary improvements in services provided at the Airport Facilities and/or provide such results to the appropriate parties who are able to take such corrective action, including the IAA Board when its approval is needed.

(c) The Contractor shall from time to time survey the Airlines, concessionaires, and other tenants operating at the Airport Facilities about the helpfulness, attitude, and performance of the staff and management of the Contractor and the services provided by it.

(d) The Authority shall have the right at any time at its expense to have its own market research studies conducted to test the quality of service being provided by the Contractor. Any such studies shall not interfere with the operation and maintenance of the Airport Facilities by the Contractor or be done at the same time the Contractor is performing its quality of service monitoring.

Section 9.07. Safety, Security, and Protection. The Contractor shall be responsible for initiating, maintaining, and supervising all safety precautions and programs in connection with the operation and maintenance of the Airport Facilities. The Contractor shall take reasonable and prudent precautions for the safety of, and to prevent injury or loss to, all employees of the Contractor and other persons at the Airport Facilities. The Contractor's safety program shall comply with all applicable Legal Requirements, subject to the ability to contest as set forth in Section 9.02 herein. The Contractor shall designate a responsible representative on site at the Airport Facilities whose duty shall be the prevention of accidents and safety and security plan compliance.

Section 9.08. Community Relations. The Contractor shall take an active role in the community of Indianapolis and report thereon to the IAA Board. The Contractor shall also institute programs for the education of the citizens of Indianapolis with respect to the operation of the Airport Facilities.

Section 9.09. Minority and Women-Owned Business Participation. The Contractor shall use its best efforts to utilize Indianapolis-based minority-owned and women-owned businesses in connection with the operation, maintenance, and professional services to be provided under this Agreement in an amount equal to at least twelve percent (12%) of the purchases/contracts available for placement on an annual basis, comprised of at least ten percent (10%) of minority-owned businesses and at least two percent (2%) of women-owned businesses. It is the intention of the Contractor to exceed these targets and progressively improve minority and women-owned business participation during the Term and any Renewal Term.

Section 9.10. Pricing. Subject to existing contractual arrangements, the Contractor shall ensure that on average, through the enforcement of contractual provisions, that the prices for goods, including food and beverage items, at the Airport Facilities are the same as for those sold off the premises of the Airport Facilities in Indianapolis, a program known as "street pricing."

Section 9.11. Construction of Improvements.

(a) Except as expressly provided in this Agreement or as are delegated by the IAA Board to the Contractor in Schedule 4.01 attached hereto, the Contractor shall not construct any alterations, additions or improvements to or installations on the Airport Facilities without the prior approval of the IAA Board.

(b) Before the commencement of any such work, detailed plans and specifications, or any material amendments thereto, shall be filed with and approved by the IAA Board and all Governmental Authorities having jurisdiction over the Airport Facilities. All such work shall be done subject to and in accordance with the requirements of all applicable Legal Requirements, and, where required, each affected public utility company.

(c) The Contractor shall cause all work to be performed in a good and workmanlike manner and substantially in accordance with the plans and specifications approved by the IAA Board for the same. At all times during such work, the Contractor shall have on file with the IAA Board and on the construction site for inspection by the Authority, a copy of the approved plans and specifications. If requested by the Authority, the Contractor shall promptly commence to reconstruct or replace and diligently pursue to completion, prior to or after completion of such work, any work which is not done substantially in accordance with such plans and specifications as approved by the IAA Board.

(d) The Contractor shall obtain or cause to be obtained all necessary Government Approvals prior to constructing any improvements to the Airport Facilities and shall ensure that such improvements are constructed and equipped in compliance with all Legal Requirements. Upon completion of the construction of such improvements, the Contractor shall furnish to the Authority all required occupancy permits and authorizations from appropriate Governmental Authorities, if any are required, authorizing the occupancy and use of such improvements for the purposes approved by the Authority.

(e) Upon completion of the construction thereof, any fixture, structure, alteration, addition or improvement to the Airport Facilities undertaken pursuant to this Agreement, whether temporary or permanent in character, excluding personal property and trade fixtures which can be removed without damage to the Airport Facilities, shall immediately become part of the Airport Facilities for purposes of this Agreement and shall automatically become the property of the Authority as owner, without compensation to the Contractor upon the termination of this Agreement except as otherwise agreed to by the Contractor and the Authority in the case of improvements funded by the Contractor (which may upon mutual agreement of the Authority and the Contractor be the property of the Contractor), and shall remain in place upon the termination of this Agreement.

(f) The Contractor and its agents shall comply with all applicable Legal Requirements regarding any construction of additions or material improvements to the Airport Facilities.

Section 9.12. Inspections and Audits of Records and Reports. The Contractor shall permit the Authority and its duly authorized representatives, during the Term and any Renewal Term, at the Authority's expense and without unreasonable disruption to the Contractor, to:

(a) examine, during normal business hours any and all of the records and reports described in Sections 6.04, 6.06, 9.02, 9.04, 9.09, 11.03, 13.02(h), 13.02(j), 13.03(b), and 14.06, and make copies of and take extracts from such records and reports and from all other documents of the Contractor relative to the Airport Facilities, as may be necessary to ensure compliance by the Contractor with the terms of this Agreement; and

(b) cause to be made a complete audit of any of the records and reports described in subparagraph (a) above.

Section 9.13. FAA Operating Certificate. The Contractor shall secure the necessary approvals from the FAA so that the Contractor may operate and maintain the Airport Facilities under the Authority's FAA Operating Certificate and so that the FAA Operating Certificate for the Airport Facilities remains in full force and effect during the Term and any Renewal Term.

Section 9.14. Environmental Compliance Assurance Program.

(a) The Contractor shall develop and implement an environmental compliance assurance program (the "ECAP") for the Airport Facilities. The ECAP shall include compliance monitoring procedures

that are sufficient to provide reasonable assurance of compliance by the Authority, the Contractor, and by tenants of the Airport Facilities (subject to existing contractual arrangements with tenants of the Airport Facilities) with all Environmental Laws which are applicable to the operations at the Airport Facilities. Within one hundred eighty (180) days after the Effective Date, the Contractor shall submit proposed compliance monitoring procedures to the IAA Board for its approval. The Contractor shall have such procedures in place and begin implementing the same within thirty (30) days following notice from the IAA Board of its approval of the procedures.

(b) At a minimum, the ECAP shall address compliance with the following Environmental Laws: (i) spill reporting and response; (ii) environmental permitting, including, but not limited to, air permitting, NPDES permitting of stormwater and any other discharges, and industrial pretreatment requirements for discharge to DPW sewers; (iii) UST regulatory mandates, including, but not limited to, ongoing implementation of leak detection monitoring, Release response and corrective action, and tank upgrade standards; (iv) hazardous waste management requirements for hazardous waste generators; (v) solid waste management requirements; (vi) reporting requirements under the Emergency Planning and Community Right-to-Know Act (42 USC 11001, *et seq.*); and (vii) any other pertinent Environmental Laws presently existing or which may be adopted or enacted subsequent to the Effective Date.

(c) As an element of the ECAP, the Contractor shall designate an individual as the ECAP coordinator, who shall be the point of contact with the IAA Board and tenants of the Airport Facilities with respect to environmental compliance matters.

(d) The ECAP shall clearly delineate responsibilities among the Contractor, the Authority, and tenants of the Airport Facilities (subject to existing contractual arrangements with tenants of the Airport Facilities) for communications with pertinent Governmental Authorities with respect to spill or Release reporting, compliance reporting, agency inspections, and other relevant matters.

Section 9.15. Litigation and Claim Protocol. The Contractor shall immediately provide the Authority with written notice of the commencement of any litigation or the receipt of any material claim which relates to the Airport Facilities or to the execution or performance of this Agreement. The Contractor shall promptly refer any such matter(s) to the appropriate insurance company, if appropriate. If the matter is not or may not be adequately covered by insurance, the Contractor shall promptly submit to the Authority a written plan for the litigation and/or claim, including recommended counsel to defend such matter(s). Subject to the provisions of Section 20.06, if both the Authority and the Contractor are parties to the litigation and/or claim, each may employ its own counsel, but at its own expense; provided, however, that it is understood by the parties hereto that the litigation costs relating to litigation in the normal course shall be an operating expense of the Airport Facilities. All decisions regarding settlement by the Authority with respect to matter(s) to which the Authority is a party shall rest with the Authority unless specifically delegated to the Contractor

Section 9.16. Representations and Warranties Certificate. On the Effective Date, the Contractor shall execute a certificate, in form and substance acceptable to the Authority, recertifying each of its representations and warranties contained in Article VII herein effective as of the Effective Date.

ARTICLE X.

COVENANTS OF AUTHORITY

Section 10.01. Cooperation. As to the following matters, the Authority shall allow the Contractor to make recommendations to the Authority: (i) construction at the Airport Facilities by the Authority or others; and (ii) new agreements of any nature or changes to Authority Agreements or the imposition of covenants, restrictions, liens or encumbrances with respect to the Airport Facilities that would affect the Contractor's operation, maintenance or management of the Airport Facilities. The Authority shall cooperate in good faith with the Contractor so that the Contractor may operate and maintain the Airport Facilities and attempt to achieve the Net Airline Cost Savings in accordance with the terms of this Agreement. The Authority shall in good faith operate in accordance with the Delegation of Authority document attached hereto as Schedule 4.01 and shall negotiate adjustments to the Baseline Projection when appropriate or necessary to carry out the agreement of the parties to this Agreement. The Authority understands the importance of flexibility when dealing with Unforeseen Circumstances. Provided, however, that the Contractor recognizes that the ultimate decisions on matters affecting the Airport Facilities as specified in this Agreement must rest with the Authority. The Authority shall also cooperate in good faith with the Contractor in (i) dealing with all Governmental Authorities in connection with the operation, maintenance, and management of the Airport Facilities and the future

development thereof, including, but not limited to, the application for and obtaining of any Governmental Approvals in connection therewith, (ii) the administration and enforcement of the Authority Agreements, and (iii) the general performance by the Contractor of its rights, duties, and obligations under this Agreement.

Section 10.02. Retained Powers. The Authority assumes and agrees to discharge any retained Authority powers set forth in Section 4.01 herein.

Section 10.03. FAA Operating Certificate. The Authority shall cooperate with the Contractor to secure the necessary approvals from the FAA so that the FAA Operating Certificate for the Airport Facilities remains in full force and effect during the Term and any Renewal Term.

Section 10.04. Sale of Airport Facilities. The Authority shall provide the Contractor with ninety (90) days prior written notice of any sale of all or a material portion of the Airport Facilities.

Section 10.05. Representations and Warranties Certificate. On the Effective Date, the Authority shall execute a certificate, in form and substance acceptable to the Contractor, recertifying each of its representations and warranties contained in Article VIII herein effective as of the Effective Date.

ARTICLE XI.

REVENUE ENHANCEMENT AND COST SAVINGS PROJECTS

Section 11.01. Identification and Approval.

(a) The Contractor shall identify initiatives which it believes will materially increase non-airline revenues ("Revenue Projects") and lower operating expenses ("Cost Projects") of the Airport Facilities. For purposes of this Section 11.01, "material" shall be defined to include any Revenue Project or Cost Project which would require an Authority expenditure in excess of \$25,000 or which is estimated to have an annual benefit in excess of \$25,000. Other than those initiatives set forth in sub-paragraph (b) of this Section 11.01, any Revenue Project or Cost Project shall first be presented to the Authority in conceptual form for approval. Following preliminary approval, the Contractor shall prepare a complete summary of the project including, without limitation:

- (1) Detailed outline of the benefits of the Revenue Project or Cost Project;
- (2) Estimated cost to the Authority;
- (3) Estimated financial return to the Authority; and
- (4) Projected payback period for any capital to be invested by the Authority.

The IAA Board shall promptly consider and approve any Revenue Projects or Cost Projects which it deems to be meritorious in its reasoned judgment. Any disagreement between the Authority and the Contractor shall be submitted to the dispute resolution mechanism of Article XVI herein. Certain or all of these projects may be included in the Annual Operating Budget or Annual Capital Budget submitted to the Authority for its approval pursuant to Sections 13.04 and 13.05 herein.

(b) As a part of the approval of this Agreement, the Authority has approved the Revenue Projects and Cost Projects summarized in Schedule 11.01 attached hereto.

(c) The Contractor may at its sole discretion choose to invest its own capital in any Cost Project or Revenue Project subject to the approval of such projects by the Authority.

Section 11.02. Non Revenue-Generating Projects. From time to time, the Contractor shall submit proposals to the Authority for Capital Improvements and Capital Expenditures which are necessary for the safe operation of the Airport Facilities or are required by any Legal Requirement and which are not intended to be revenue generating. All such Capital Improvements and Capital Expenditures shall be promptly approved by the Authority.

Section 11.03. Reports on Revenue Projects and Cost Projects. In addition to those reports set forth in Section 9.04 herein, the Authority may request periodic reports on the operational and financial status of Revenue Projects and Cost Projects.

Section 11.04. Cost Projects. In order to effect cost improvements at the Airport Facilities, the Contractor shall by example and without limitation:

- (a) Review all services previously provided by the Authority in order to seek bids from outside contractors where quality can be added at a lower unit cost while keeping safety and security paramount;
- (b) Review all utility usage at the Airport Facilities and make appropriate adjustments resulting in reductions in electricity and water consumption; and
- (c) Examine purchasing systems previously utilized by the Authority to identify those suppliers who can offer the most competitive prices.

Section 11.05. Revenue Projects. In order to positively affect revenue generation at the Airport Facilities, the Contractor shall by example and without limitation:

- (a) Subject to the terms of contractual arrangements with the Authority, increase sales per passenger from retail operations at the Airport Facilities by introducing the concepts of street pricing, branding, choice, and competition;
- (b) Aggressively market the remaining available unleased space at the Indianapolis International Airport;
- (c) Develop new leasable space at the Airport Facilities;
- (d) Examine certain large scale cash handling operations at the Airport Facilities (such as parking) to ensure that no revenue leakage is occurring;
- (e) Develop aggressive market promotions to attract new air services, cargo operations, and noise compatible light industrial units to the Airport Facilities;
- (f) Subject to the terms of contractual arrangements with the Authority, introduce competing food and beverage operations at the Airport Facilities; and
- (g) Extend the range of retail operations at the Airport Facilities.

Section 11.06. Capital Investment by Contractor. During the first two (2) Agreement Years, the Contractor shall invest, in the aggregate, at least Five Hundred Thousand Dollars (\$500,000) of its own capital in Revenue Project(s) which have received the prior approval of the Authority. The Contractor shall not be reimbursed by the Authority for any such capital investment.

Section 11.07. Airline Use Agreements. The Contractor shall be responsible for all daily contact and coordination with the Airlines. As part of this responsibility, the Contractor shall obtain the approval of the City-County Council of the City of Indianapolis of the Annual Operating Budget and the Annual Capital Budget and shall submit the Annual Capital Budget to the Airlines for their review. Any significant disputes with the Airlines shall immediately be referred to the IAA Board President. The Contractor shall, at the direction of the IAA Board, also be responsible for negotiations leading up to any new airline use agreements with the Airlines.

ARTICLE XII.

INSURANCE

Section 12.01. Contractor to Provide Insurance. The Contractor shall obtain and continuously maintain without interruption, during the Term and any Renewal Term, the following insurance for the operations and activities on or at the Airport Facilities from a licensed insurance company or companies approved by the Authority and rated by Best's Rating at A-XII or better:

- (a) Comprehensive General Liability or Commercial General Liability Insurance ("Primary") and Excess Liability Insurance ("Excess") with a minimum total aggregate limit of \$250,000,000. The exact breakdown of Primary and Excess shall be upon the recommendation of the Contractor. Both the Authority and the Contractor shall be insured under the Primary and Excess policies. There shall be no

deductible and no self-insured retention aspects to such insurance. The Excess shall serve as excess coverage for all insurance forms specified in Sections 12.01(b), (c), (d), and (e). Coverage shall include, but not be limited to:

- i. bodily injury, property damage, and personal injury liability;
- ii. the operation of Vehicles on and/or at the Airport Facilities. Coverage for such liability may be limited to liability in excess of the limits of the Comprehensive Automobile Liability Insurance discussed below in Section 12.01(b);
- iii. independent contractors and contractors protective;
- iv. collapse, explosion or underground;
- v. incidental host liquor liability;
- vi. aircraft liability, ground hangarkeepers liability, and airport operator's liability;
- vii. completed operations;
- viii. claims of discrimination and/or harassment;
- ix. liabilities (including cleanup and remediation costs) arising out of a Release;
- x. advertising injury liability; and
- xi. medical malpractice liability.

(b) Comprehensive Automobile Liability Insurance with minimum limits of \$1,000,000 per occurrence for bodily injury and property damage liability. There shall be no deductible and no self-insured retention aspects to the insurance. Coverage shall include, but not be limited to, the operation of all Vehicles owned/leased by the Authority, both at and away from the Airport Facilities.

(c) Directors' and Officers' Liability Insurance with respect to Authority personnel with a minimum \$1,000,000 policy limit. The insurance may have a deductible of no more than \$15,000.

(d) Property Loss Insurance with a minimum \$150,000,000 policy limit. The insurance may have a deductible of no more than \$25,000. The insurance must be placed on a repair/replacement basis. It is understood and agreed that the policy limit may fluctuate as new property is acquired and/or relinquished. Coverage shall include, but not be limited to:

- i. the loss of buildings, contents, personal property, boilers, Vehicles, and machinery;
- ii. rental insurance, service interruption (time element), repair or replacement, agreed amount endorsement, earth movement, flood, valuable papers and records, demolition and increased cost of construction, debris removal at each location, extra expense, errors and omissions, automatic coverage, expediting expense, transportation, off premises floater, and decontamination expense; and
- iii. the loss of Equipment that the Authority owns as well as Equipment that the Authority does not own but has in its custody and/or possession and/or that is otherwise under its control.

(e) Workers' Compensation Insurance with limits in amounts that fully comply with applicable statutory limits in the State of Indiana. The scope of coverage afforded by the insurance shall also comply with applicable statutory requirements in the State of Indiana. This scope shall include, but not be limited to, coverage for injury, death or occupational disease of employees of the Contractor arising out of and/or in the scope of their employment.

(f) Fidelity Insurance with limits in the amount of \$500,000 per occurrence. There shall be no deductible and/or self insured retention aspects to the insurance. The scope of coverage afforded by the

insurance shall include, but not be limited to, indemnification to the Authority for losses arising out of the Contractor's and the Authority's "agents" act(s) or omission(s) of dishonesty, infidelity and/or lack of integrity. The Contractor's "agents" and the Authority's "agents" shall be defined (for purposes of this Section 12.01(f) only) as including all employees, agents, officers, and directors of the Contractor or the Authority who are involved in, or employed in connection with, the performance of the Contractor's obligations under this Agreement or in connection with the Authority's activities at the Airport Facilities.

Subparagraphs under each of the listed forms of insurance (Sections 12.01 (a), (b), (c), (d), (e), and (f)) are not limitations on the scope of coverage required and the Contractor shall secure the listed coverages as they are commercially available. The Contractor may obtain additional forms of insurance and coverages.

Section 12.02. Special Conditions. The following conditions shall apply to all insurance obtained by the Contractor:

(a) The Contractor shall be responsible for recommending to the Authority all limits of coverage on all policies described herein and all types of coverage and their respective scopes and deductibles, on an annual basis.

(b) The Authority shall be specifically named as an additional insured on all insurance policies of the Contractor.

(c) Each policy of insurance hereunder shall contain waivers of subrogation by the insurer as to both the Authority and the Contractor.

(d) Each of the Airport Facility locations shall be specifically identified as covered locations in each insurance policy.

(e) Prior to the Effective Date, the Authority shall be provided with a certificate and declarations page for each of the policies referred to in this Article XII. Within thirty (30) days of the Effective Date, the Authority shall be provided with a certified copy of each of the policies referred to in this Article XII.

(f) The insurance described in this Article XII may be carried under a policy or policies covering other liabilities and locations of the Contractor or a parent, subsidiary or affiliate of the Contractor, provided that the applicable limits of coverage and/or the insurance proceeds available for coverage are not thereby reduced for purposes of this Article XII and will not be reduced by losses, occurrences, and other covered events that the Contractor or its parents, subsidiaries or affiliates experience from such other liabilities and locations of the Contractor or its parents, subsidiaries or affiliates.

(g) The Contractor shall require the respective insurance companies to provide notice of cancellation and/or non-renewal directly to the Authority at least sixty (60) days in advance of such cancellation and/or non-renewal.

(h) All insurance companies and coverages must be acceptable to and approved in writing by the Authority.

(i) All premiums reimbursed to the Authority as a result of the termination of its existing insurance policies shall be revenues of the Airport Facilities subsequent to the Effective Date.

(j) To the extent the Contractor recommends that the Authority and the Contractor be insured under the same policies of insurance and, as a result, the cost of such insurance to the Authority increases, the Contractor shall pay any such increased cost. Otherwise, the cost of such insurance shall be an operating cost of the Airport Facilities.

ARTICLE XIII.

OPERATION AND MAINTENANCE OF AIRPORT FACILITIES

Section 13.01. Condition of Airport Facilities. The Authority has not made any representation as to the condition of the Airport Facilities, or any buildings, structures, improvements, Equipment, Vehicles, machinery or tools situated at the Airport Facilities. The Contractor shall conduct and complete a

comprehensive inspection of the Airport Facilities for the purpose of documenting the operational and maintenance status of the Airport Facilities, and any resulting necessary adjustments to the Baseline Projection shall be made pursuant to Section 6.02 herein.

Section 13.02. Operation of Airport Facilities. During the Term and any Renewal Term, the Contractor shall operate the Indianapolis International Airport on a continuous 24-hours per day, 7 days per week basis, at least to the extent such airport is currently operated, in compliance with all Legal Requirements. All other Airport Facilities shall be operated on a daily and hourly schedule consistent with current operation by the Authority. Operation of the Airport Facilities shall include, but not be limited to, the following:

(a) The Contractor shall provide the scope of services set forth in Section 3.06 herein and shall provide or obtain (i) all personnel and associated wages, salaries, and benefits, (ii) all necessary inventory to operate and maintain properly the Airport Facilities at the level required by this Agreement, (iii) all necessary utilities (to the extent within the control of the Contractor), and (iv) any other services necessary to operate the Airport Facilities in accordance with all applicable Legal Requirements.

(b) The Contractor shall provide all personnel, materials, and services necessary to support the operation and maintenance of the Airport Facilities in the manner required by this Agreement including, but not limited to, the following functions: operations, engineering, training, computer systems maintenance, administration, public relations (in consultation with the Authority), purchasing, regulatory compliance and reporting, transportation, janitorial, security, and general building and grounds maintenance at the Airport Facilities.

(c) The Contractor shall transport and handle, in accordance with any Legal Requirement, all chemicals, fuel, wastes and residues generated on the Airport Facilities.

(d) Except to the extent that it is the responsibility of third parties at the Airport Facilities, the Contractor shall maintain the cleanliness and appearance of the Airport Facilities in a professional manner and shall be responsible for the maintenance of the lawn, trees, flowers, and plants at the Airport Facilities.

(e) The Contractor shall actively pursue improvements in effectiveness, efficiency, and the cost of operations and maintenance of the Airport Facilities and at least annually or upon written request by the IAA Board, evaluate all Equipment and notify the IAA Board of specific Equipment needs.

(f) The Contractor shall maintain a professional, positive, and responsive working relationship with the Airlines, the IAA Board, and other representatives of the Authority, regulatory authorities, suppliers of materials, utilities, and services, and the public.

(g) The Contractor shall review and update, where appropriate, the Authority's Emergency Preparedness Plan for interaction and coordination with the Authority. The Contractor shall use its best efforts to deal with emergencies and to maintain or restore normal operations. In the event of an emergency, the Contractor shall make every reasonable effort to contact the IAA Board President to authorize any needed emergency major repairs, Capital Expenditures or Capital Improvements. Any truly emergency matters may be undertaken at the direction of the Airport Director if he/she is unable to contact the IAA Board President.

(h) The Contractor shall prepare, in a timely manner, any required regulatory reports and submit them to the IAA Board for transmittal to the appropriate agencies.

(i) The Contractor shall provide twenty-four (24) hour per day security at the Airport Facilities in accordance with the terms of the security plan which shall be a part of the Transition Plan.

(j) The Contractor shall honor and administer the Operating Documents. The Authority shall make available to the Contractor the Operating Documents, as well as calculations, maintenance manuals, operational records, logs, reports, submittals, repair records, cost records, audits, and general correspondence which may be in the Authority's possession or that of its agents, related to the design, condition or operation of the Airport Facilities. Neither the Authority nor the Contractor shall take any action or omit to take any action which would invalidate or void the Operating Documents.

Section 13.03. Maintenance of Airport Facilities. During the Term and any Renewal Term, the Contractor shall be responsible for performing routine maintenance, predictive maintenance, preventive maintenance, and corrective maintenance of the Airport Facilities, all in a manner at least as effective as the manner in which the Airport Facilities were maintained by the Authority on a consistent basis prior to the Effective Date. Such maintenance shall include, but not be limited to, the following:

(a) The Contractor shall provide the scope of services set forth in Section 3.06 herein and shall provide all personnel, materials, and services necessary to maintain the Airport Facilities' structures, Vehicles, Equipment, mechanical, electrical, HVAC, instrumentation, and communication and computer systems adequately to insure efficiency, long-term reliability, and conservation of capital investment. The Contractor shall implement its maintenance management program in order to provide prudent maintenance in accordance with industry standards, equipment manufacturers' instructions, and existing operating and maintenance manuals (taking into account the specific maintenance requirements of each piece of Equipment) so that at the Termination Date the Airport Facilities are returned to the Authority in the same or better condition than at the Effective Date, normal wear and tear excepted. The Authority and the Contractor, as the case may be, shall make provisions for enforcing the Operating Documents, and for maintaining all warranties on new Equipment purchased after the Effective Date. The Contractor shall employ routine, predictive, preventive, and corrective maintenance programs. Within six (6) months of the Effective Date, the Contractor shall complete a full review of the Airport Facilities' maintenance management program and make appropriate recommendations to the Authority regarding a predictive and preventative maintenance plan that is at least as effective as the manner in which the Airport Facilities were maintained by the Authority on a consistent basis prior to the Effective Date. Changes and/or enhancements to the existing maintenance management program may include corrective and/or Capital Improvements as mutually agreed upon by the Authority and the Contractor.

(b) The Contractor shall maintain detailed records and reports of maintenance work performed and shall make such reports available to the Authority. The reports shall identify all maintenance activities and orders pending or completed since the most recent report.

(c) The Contractor shall regularly review and inspect the Airport Facilities to determine the necessity of any major repair and maintenance activities and prepare written recommendations to the Authority related to all such activities.

Section 13.04. Annual Operating Budget. On an annual basis, the Contractor shall prepare and submit the Annual Operating Budget to the IAA Board. The Annual Operating Budget shall include all projected revenues, including non-airline revenues, as well as projected operating costs and Capital Expenditures. At the option of the Contractor, the Annual Operating Budget may include an estimate of the compensation due the Contractor pursuant to Section 6.04 herein so long as the Contractor includes in such Annual Operating Budget the projected improvements in the Net Airline Cost on a per Enplaned Passenger basis. The Authority shall review and make any recommended changes to the proposed Annual Operating Budget. The final Annual Operating Budget shall be completed so that it can be submitted to the City-County Council of the City of Indianapolis for approval. All such actions shall be taken on a time schedule to ensure compliance with the requirements of the Authority and the City-County Council of the City of Indianapolis.

Section 13.05. Capital Improvements. On an annual basis, the Contractor shall prepare and submit the Annual Capital Budget to the IAA Board. The Authority, in its discretion, shall determine whether to accept the Contractor's proposal for the Capital Improvements as set forth in the proposed Annual Capital Budget. The Authority shall make any recommended changes to the proposed Annual Capital Budget. The final Annual Capital Budget shall be completed so that it can be timely submitted to the Airlines and the City-County Council of the City of Indianapolis. All such actions shall be taken on a time schedule to ensure compliance with the requirements of the Authority, the Airlines, and the City-County Council of the City of Indianapolis.

Section 13.06. Mechanic's Liens. The Contractor shall not allow any mechanic's liens for labor and/or materials furnished, or alleged to be furnished, to the Contractor to attach to any portion of the Airport Facilities. If any such lien shall at any time be filed, the Contractor shall, without cost or expense to the Authority, within thirty (30) days of receipt of notice by the Contractor, cause the same to be effectively discharged of record by payment, bond, order of a court of competent jurisdiction or otherwise, unless the Contractor furnishes to the Authority security in the amount of such lien to protect the interests of the Authority. If any lien so attaches and the Contractor fails to discharge it or furnish such security to the Authority, the Authority may remove it at the Contractor's expense and offset the cost against the

Contractor's compensation in accordance with Article VI. This Section 13.06 shall apply to all materials and/or labor furnished, or alleged to be furnished, to the Contractor in connection with its services under this Agreement, whether for the Airport Facilities or otherwise.

Section 13.07. Inventory. During the Term and any Renewal Term, the Contractor shall utilize the Beginning Inventory in the operation and maintenance of the Airport Facilities. On the Termination Date, the Contractor shall turn over to the Authority inventory (less any liquidated excess inventory) which is reasonably necessary to operate and maintain the Airport Facilities.

Section 13.08. Equipment and Vehicles. The Authority shall provide the Contractor with the Equipment needed by the Contractor for its services under this Agreement. A list of Vehicles is attached hereto as Schedule 13.08. Proper maintenance of the Vehicles shall be conducted by the Contractor.

Section 13.09. Proprietary Rights. The Contractor and the Authority shall agree on a case by case basis as to the ownership of any patentable or copyrightable discoveries or inventions that result from the work described herein.

ARTICLE XIV.

PERSONNEL

Section 14.01. Staffing. The Contractor shall employ adequate staff to operate and maintain the Airport Facilities in accordance with the terms of this Agreement.

Section 14.02. Contractor to Interview Airport Employees. Before the Effective Date, the Contractor shall complete its interviewing of all employees of the Airport Facilities who are interested in and apply for a position with the Contractor. Subject to its normal and customary interview practices, the Contractor shall use its best efforts to employ all interested and qualified employees of the Authority as its employees at the Airport Facilities. The Contractor shall have the right to require substance abuse tests of all persons to whom it offers a position of employment and the right to reject for employment any person not passing or declining to take such a test.

Section 14.03. Comparable Employment.

(a) The Contractor shall provide Authority employees who are employed by the Contractor with a total package of initial compensation and benefits for such employees essentially similar to the compensation and benefits currently provided by the Authority assuming comparable levels of work responsibilities, the minimum specifications of which are set forth in Schedule 14.03 attached hereto. The Contractor shall provide the Authority with final wages and benefits specifics at least thirty (30) days prior to the Effective Date.

(b) From the Effective Date until January 1, 1996, the Contractor shall provide health insurance coverage to employees of the Authority whom it has hired under its own group health insurance plan(s) which shall be substantially identical to the existing insured and self-insured group health insurance plans of the Authority. With respect to the self-insured group health insurance plan of the Authority, the Authority shall provide the Contractor with the right to request reimbursement from such plan for any claims of employees of the Authority whom the Contractor has hired incurred beginning on and after the Effective Date through December 31, 1995. However, the Contractor shall not acquire any right, title or interest in or to any of the assets which the Authority holds for the funding of any claims under such self-insured group health insurance plan. The nature of this reimbursement shall be in the form of a loan from the Authority to the Contractor and, accordingly, the Contractor shall also reimburse the Authority for the cost of such funds, as reasonably determined by the Authority. On January 1, 1996 (or as soon as possible thereafter when the amount of the reimbursable claims is known), the Contractor shall reimburse the Authority the amount, if any, that the Authority has expended on the Contractor's behalf for claims incurred from the Effective Date through December 31, 1995. Any claims incurred by an employee who is a participant in any of the Authority's group health insurance plans prior to his/her date of hire with the Contractor shall be the obligation of the Authority's group health insurance plans. Effective as of January 1, 1996, the Contractor shall provide health insurance coverage to its employees under its own group health insurance plan, which coverage shall be comparable (including coverage for dependents, if applicable) to that which such employees were receiving under the group health insurance plan sponsored by the Authority, without regard to any waiting periods or pre-existing conditions. This coverage shall be at a cost to such employees equal to

or less than that which such employees paid for comparable coverage as an employee of the Authority under whichever plan is providing coverage to such employees (and his/her dependents, if applicable) (it being understood that such costs may increase in the future as a result of normal health care cost increases). The Contractor shall provide COBRA health care continuation coverage or, if such coverage is unavailable, alternate coverage to any employees of the Authority who do not become participants in the Contractor's group health insurance plan, at the expense of such employees.

(c) Each employee of the Authority who is hired by the Contractor shall be credited with the years of service accumulated under the Authority's pension and welfare benefit plans for eligibility and vesting purposes under all such plans sponsored by the Contractor. The Authority shall transfer all accrued vacation and sick time to the Contractor for each employee of the Authority hired by the Contractor and shall reimburse the Contractor for any liability associated with such accrued vacation and sick time when actually incurred by the Contractor up to the amount of vacation and/or sick time of the affected employee on the Effective Date.

(d) The Authority's defined benefit pension plan shall be terminated as of the Effective Date and the Authority shall secure a favorable determination letter from the Internal Revenue Service to the effect that such plan's termination does not adversely affect its qualified status. The ability of the employees of the Authority to rollover funds into the 401(k) plan of the Contractor is contingent upon the receipt of such letter. The Authority shall amend its plan as necessary to bring it into compliance with all existing Legal Requirements and to permit the payment of a lump sum form of benefit. Upon termination of the Authority's existing defined benefit pension plan, the Authority shall ensure that its employees shall receive their respective accrued benefits thereunder. The Contractor shall establish a 401(k) plan as of the Effective Date and shall therein provide for discretionary employee pre-tax salary deferral contributions and employer contributions. During the Term and any Renewal Term, the Contractor shall, to the extent permitted by any Legal Requirement, make an annual employer contribution for eligible participants equal to at least (i) the Authority contribution to the Authority's defined benefit plan during 1994, divided by the total base compensation of eligible Authority employees for 1994 times (ii) the total base compensation of all eligible employees of BAA Indianapolis LLC for the applicable year.

Section 14.04. Training of Airport Employees. The Contractor shall implement a comprehensive training program for its employees at the Airport Facilities.

Section 14.05. Personnel Changes by Contractor. The Transition Plan shall provide for voluntary attrition of employees of the Authority following the Effective Date. Consistent with the terms of the Transition Plan, there shall be no involuntary layoff of employees of the Authority who are subsequently employed by the Contractor. The Contractor and the Authority shall share in the costs associated with such voluntary attrition at forty percent (40%) and sixty percent (60%), respectively. The Authority's voluntary attrition costs shall not exceed \$480,000 and such costs shall be paid from improvements in the Net Airline Cost on a per Enplaned Passenger basis in any Agreement Year until paid in full. The Contractor shall pay such costs until such time as there are sufficient improvements in the Net Airline Cost on a per Enplaned Passenger basis from the Adjusted Baseline on a per Enplaned Passenger basis.

Section 14.06. Nondiscrimination.

(a) The Contractor and any subcontractors shall not discriminate against any employee or applicant for employment in the performance of this Agreement, with respect to hire, tenure, terms, conditions or privileges of employment, or any other matter directly or indirectly related to employment, because of race, religion, color, age, sex, handicap, national origin, ancestry, disabled veteran status or Vietnam-era veteran status.

(b) The Contractor shall not discriminate on the grounds of race, religion, color, age, sex, handicap, national origin, ancestry, disabled veteran status or Vietnam-era veteran status in the selection and retention of subcontractors, or in the procurement of materials or supplies or leases of equipment.

(c) The Contractor shall permit access to its books, records, accounts, other sources of information, and the Airport Facilities as may be determined by the Authority or the FAA to be pertinent to ascertain compliance with this Section 14.06.

(d) The Contractor shall include as covenants, agreements, and obligations of concessionaires and subcontractors, the nondiscrimination provisions contained in this Section 14.06 in every lease,

contract, and agreement, including, but not limited to, contracts for the procurement of materials or supplies or leases of equipment. The Contractor shall take such action with respect to any lease, contract or procurement as the Authority or the FAA may direct as a means of enforcing such provisions, including the enforcement of sanctions for noncompliance.

(e) The Contractor agrees that it shall furnish to any Governmental Authority or the Authority, as required, any and all documents, reports, and records required by Title 14, Code of Federal Regulations, Part 152, Subpart E.

(f) These provisions are required by the FAA pursuant to Title 14, Code of Federal Regulations, Part 152, 45 Federal Register 10184 (February 14, 1980), as a condition of and a prerequisite to the Authority's receipt of federal assistance in connection with the Airport Facilities.

Section 14.07. No Restriction on Employment. At the Termination Date, the Contractor shall not place any restriction upon the ability of the employees at the Airport Facilities to become employees of the Authority or employees of any contractor which may in the future operate and maintain the Airport Facilities.

Section 14.08. Authority not Employer. Nothing in this Agreement shall be construed to place the Authority in the relationship of the employer of, or to grant the Authority the rights to direct or control, employees of the Contractor or displaced employees.

ARTICLE XV.

DEFAULTS AND REMEDIES

Section 15.01. Contractor Events of Default. The occurrence of any of the following shall constitute an "Event of Default" by the Contractor for purposes of this Agreement:

(a) The institution against the Contractor or the Parent Company of bankruptcy, insolvency, reorganization, arrangement, debt adjustment, liquidation or receivership proceedings in which it is alleged that the Contractor or the Parent Company is insolvent or unable to meet its debts as they mature;

(b) The breach by the Contractor of any representation, covenant, warranty or obligation of the Contractor under this Agreement, except in the event of Unforeseen Circumstances;

(c) The Contractor or the Parent Company shall become a corporation in dissolution under applicable bankruptcy or insolvency laws; or

(d) A lien which exceeds Twenty-Five Thousand Dollars (\$25,000), or liens which in the aggregate exceed Fifty Thousand Dollars (\$50,000), shall be filed against the Airport Facilities, or any portion thereof, because of any act(s) or omission(s) of the Contractor, its employees or agents, and shall not be discharged within thirty (30) days after receipt of notice or other knowledge thereof by the Contractor, unless the Contractor shall within the aforesaid thirty (30) days, furnish to the Authority security in the amount of such lien or liens to protect the interests of the Authority.

Section 15.02. Authority Events of Default. The occurrence of any of the following shall constitute an "Event of Default" by the Authority for purposes of this Agreement:

(a) The failure by the Authority to pay any fee, charge or other monetary payment due the Contractor pursuant to the terms of this Agreement within ten (10) days after demand therefor;

(b) The breach by the Authority of any representation, covenant, warranty or obligation of the Authority under this Agreement, except in the event of Unforeseen Circumstances;

(c) The institution against the Authority of bankruptcy, insolvency, reorganization, arrangement, debt adjustment, liquidation or receivership proceedings in which it is alleged that the Authority is insolvent or unable to meet its debts as they mature;

(d) The Authority shall become a municipal corporation in dissolution under applicable bankruptcy or insolvency laws;

(e) The consistent and continued failure of the Authority to approve any Revenue Projects and/or Cost Projects which failure, in the reasonable judgment of the Contractor, has a Material Adverse Effect on the ability of the Contractor to (i) meet or exceed its quality targets as set forth in Section 6.02(f) herein or (ii) produce the Guarantee; or

(f) The taking of any actions by the Authority under Sections 3.05, 4.01, 4.07, 22.03 or 22.21 herein, the taking of any action by the FAA or any other Governmental Authority or any material change in applicable Legal Requirements that, in the reasonable judgment of the Contractor, materially interferes with the Contractor's ability to perform adequately its obligations under this Agreement.

Section 15.03. Notice and Cure. The non-defaulting party shall give written notice to the party in default of any Event of Default. For Events of Default under Sections 15.01(a) and (b) and Sections 15.02(b),(c), (e) and (f), the party in default shall have thirty (30) days from the date of receipt of such notice to take action to cure the default (hereinafter referred to as the "First Cure Period"). If such default is not cured at the expiration of the First Cure Period, and the defaulting party is diligently pursuing a cure, such cure period shall be extended for an additional thirty (30) day period (hereinafter referred to as the "Second Cure Period"). If such default has not been cured at the expiration of the Second Cure Period or if the defaulting party is not diligently pursuing a cure at the end of the First Cure Period, the party not in default may exercise any of the remedies set forth in Section 15.04 herein.

Section 15.04. Remedies. Subject to the provisions of Article XVI herein, the following remedies against a party which has committed an Event of Default which does not cure its Event of Default as set forth in Section 15.03 herein shall be available to the non-defaulting party:

(a) If the party in default is the Contractor, the Authority may (i) withhold payment of the compensation payable to the Contractor pursuant to Article VI, without such non-payment constituting an Event of Default, until such time as the default is cured; and/or (ii) terminate this Agreement.

(b) If the party in default is the Authority, the Contractor may terminate this Agreement.

The party in default shall reimburse the non-defaulting party and be responsible for all the expenses incurred as a result of the default, including Damages.

The foregoing remedies shall be in addition to, and not in lieu or limitation of, all remedies available at law or in equity to the non-defaulting party. Notwithstanding the foregoing or any other provision of this Agreement, the parties agree that any remedy sought by a party as a result of an uncured Event of Default by the other party shall be just, reasonable, and appropriate in relation to the nature of the Event of Default.

ARTICLE XVI.

DISPUTE RESOLUTION

Except with respect to an Event of Default by the Authority under Sections 15.02(a), (c) and (d) and by the Contractor under Sections 15.01(a) and (c) herein and except for a Termination Default by the Contractor under Sections 17.01(a) and (b), prior to seeking any remedy for an Event of Default, the Authority and the Contractor shall attempt in good faith to resolve any and all controversies or claims arising out of or relating to this Agreement promptly by negotiation, including referring such matter to the most senior official of the Authority and the most senior official of the Contractor available in the United States.

In the event such efforts fail to resolve such controversies or claims, the disputing party shall give the other party written notice of the dispute. Within twenty (20) days after receipt of said notice, the receiving party shall submit to the other a written response. The notice and response shall include (a) a statement of each party's position and a summary of the facts and arguments supporting its position, and (b) the name and title of the executive who will represent that party. The executives shall meet at a mutually acceptable time and place within thirty (30) days of the date of the disputing party's notice and thereafter as often as they reasonably deem necessary to exchange relevant information and to attempt to resolve the dispute.

If the matter has not been resolved within sixty (60) days of the disputing party's notice, or if the party receiving said notice will not meet within said thirty (30) days, either party may initiate mediation of the controversy or claim generally in the manner described in Rule 2 of the Indiana Rules of

Alternative Dispute Resolution, as adopted by the Supreme Court of the State of Indiana; provided, however, in no event shall the party desiring to initiate mediation be required to first initiate legal proceedings.

Notwithstanding the provisions of this Article XVI, a party may seek a preliminary injunction or other preliminary judicial relief if in its good faith judgment such action is necessary to avoid irreparable harm.

ARTICLE XVII.

TERMINATION

Section 17.01. Termination Defaults by Contractor. Notwithstanding anything to the contrary in this Agreement, the occurrence of any of the following shall constitute a "Termination Default" by the Contractor:

(a) The operation and maintenance of (or the failure to operate and maintain) the Airport Facilities by the Contractor in such a manner as to create a situation which poses a real, serious, and immediate threat to the health and public welfare of the City of Indianapolis, its citizens or the traveling public; or

(b) Any act or omission by the Contractor which constitutes a felony under applicable law; or

(c) The Parent Company does not maintain controlling ownership interest in the Contractor.

Section 17.02. Termination Defaults by Authority. Notwithstanding anything to the contrary in this Agreement, the occurrence of any of the following shall constitute a "Termination Default" by the Authority:

(a) The failure of the Authority to approve any project described at Section 11.02 herein;

(b) Subject to the terms of Article XIX herein, the Airport Facilities or any material part thereof shall be sold, vacated or abandoned or shall fail to be operated and open to the public other than as the result of an act or omission of the Contractor, its employees or agents; or

(c) In the event of the significant expansion or modifications of the Airport Facilities which would impose material financial burdens on the Contractor, and the Authority and the Contractor are unable to resolve such matters pursuant to Article XVIII herein.

Section 17.03. Termination of Agreement.

(a) In the event of a Termination Default by the Contractor as described in Section 17.01(a) herein, the Authority shall have the right, upon written notice to the Contractor as to the specific circumstances of the asserted Termination Default, to immediately enter upon the premises of the Airport Facilities, suspend this Agreement, and assume responsibility for the maintenance and operation of the Airport Facilities. The Authority shall have the right to utilize such personnel of the Contractor as is necessary for the continued operation and maintenance of the Airport Facilities and shall reimburse the Contractor for the reasonable cost thereof. The suspension shall continue until the event is ended (including by action of the Parent Company) provided that if such event has not ended within thirty (30) days from such written notice then the Authority may terminate this Agreement and the Contractor shall refund to the Authority any unearned compensation that may have been paid by the Authority and the Contractor shall pay any and all Damages incurred by the Authority resulting from the Contractor's Termination Default. The foregoing remedies shall be in addition to, and not in limitation of, all remedies available at law or in equity to the Authority.

(b) In the event of a Termination Default by the Contractor or the Authority as described in Sections 17.01(b) and (c), and Section 17.02 herein, the non-defaulting party shall have the right to terminate this Agreement upon ninety (90) days prior written notice to the defaulting party. Upon such termination, the defaulting party shall pay any and all Damages incurred by the terminating party resulting from the defaulting party's Termination Default.

(c) Upon termination of this Agreement pursuant to Article XV, this Article XVII, Article XIX or otherwise herein, the Authority, if an Event of Default has not occurred under Section 15.01 herein and if a Termination Event has not occurred under Section 17.01 herein, (i) shall promptly pay to the

Contractor the unamortized cost of all improvements made or installed by the Contractor during the Term or any Renewal Term which received the approval of the Authority in accordance with the terms of this Agreement, (ii) shall promptly reimburse the Contractor for its direct costs in transitioning the Airport Facilities back to the Authority upon proper documentation of the same to the Authority, (iii) shall pro-rate the Guarantee of the Contractor under Section 6.03 herein for any partial Agreement Year to the Termination Date, and (iv) shall pay to the Contractor an appropriately adjusted pro-rata portion of the compensation calculated in accordance with Article VI herein.

(d) If an Event of Default has occurred under Section 15.01 herein or if a Termination Event has occurred under Section 17.01 herein, the Authority shall pay the Contractor the amounts set forth in Section 17.03(c) herein (except for the amount set forth in Section 17.03(c)(ii)) but only such amounts as have been reduced by any Damages suffered by the Authority as a result of such Event of Default or Termination Event.

(e) Upon the expiration of the Term or any Renewal Term, the Authority shall promptly pay the Contractor any compensation due the Contractor under Article VI herein and any unamortized cost of all improvements made or installed by the Contractor during the Term or any Renewal Term with the approval of the Authority.

Section 17.04. Transition at Termination Date. On the Termination Date, the Contractor shall cooperate with the Authority to ensure a smooth transition of the operation and maintenance of the Airport Facilities. This transition shall include, without limitation, appropriate arrangements to address existing agreements, employment arrangements and benefits, and health insurance coverage. Unless otherwise agreed by the Authority, the Authority shall not be responsible for any transition costs of the Contractor that would not normally have been paid out of the Annual Operating Budget during the Term or any Renewal Term. The Contractor shall also ensure that the spare parts, tools, materials, and supplies at the Airport Facilities are adequate for the operation and maintenance of the Airport Facilities.

Section 17.05. Airport Operating Expenses at Termination. Notwithstanding the other provisions of this Article XVII, the Authority shall be responsible for all normal and customary operating and capital expenses of the Airport Facilities immediately following the Termination Date.

ARTICLE XVIII.

EXPANSION AND MODIFICATION

Section 18.01. Purpose. Inasmuch as significant expansion or modifications may need to be made to the Terminal or the operation of the Airport Facilities as a result of new and/or revised Legal Requirements, it is the intention of the Authority and the Contractor to provide a mechanism, if permitted by law, whereby such needs may be accomplished under the terms of this Agreement.

Section 18.02. Notice and Negotiation. The Authority and the Contractor agree to keep each other informed as to circumstances and information indicating a need for expansion or modification of the Airport Facilities. Either party may give notice at any time that it desires to commence negotiations for amendment of this Agreement to provide for expansion or modification of the Airport Facilities and for the payment of additional compensation in consideration of the increased duties of the Contractor. Upon receipt of such notice, the Authority and the Contractor shall attempt to resolve all such matters in good faith. If the Authority is not in a position, either financially or legally, to agree to any proposed amendment of this Agreement, a disclosure of such inability shall be a good faith response on the part of the Authority.

Section 18.03. Absence of Agreement. In the event the Authority and the Contractor cannot agree upon an amendment to this Agreement, the Contractor and the Authority shall continue to comply with their respective duties pursuant to this Agreement unless otherwise terminated.

ARTICLE XIX.

RESTORATION OF AIRPORT FACILITIES: TAKING

Section 19.01. Repair; Rebuild.

(a) If any part of the Airport Facilities shall be destroyed or damaged in whole or in part by fire or other casualty, the Contractor shall recommend to the Authority whether to repair or rebuild the Airport

Facilities as a result of such casualty loss. Based upon such recommendation, the Authority shall decide whether to rebuild or repair the damaged Airport Facilities. To the extent any damage or destruction results in loss of revenue or increased expense, the Authority and the Contractor shall negotiate in good faith an appropriate adjustment to the Baseline Projection. Any lost improvement in the Net Airline Cost on a per Enplaned Passenger basis shall be subject to recovery through insurance by the Contractor and the Authority as their interests may appear.

(b) The Contractor shall cooperate with the Authority with respect to the repair and/or restoration of the damaged Airport Facilities and shall, at the direction of the Authority, administer and supervise the repair and/or restoration of the damaged Airport Facilities.

Section 19.02. Termination. If the Authority determines that any damaged or destroyed property which represents a significant portion of the Airport Facilities and which has a Material Adverse Effect on the Contractor's ability to operate the Airport Facilities pursuant to the terms of this Agreement, will not be repaired or rebuilt, then the Contractor may, upon ninety (90) days prior written notice to the Authority, terminate this Agreement.

Section 19.03. Taking. In the event of any action or other proceedings by any Governmental Authority for the taking for a public use of any interest in all or any part of the Airport Facilities, or in the case of any deed, lease or other conveyance in lieu thereof (all of which are hereinafter referred to as a "Taking"), and any such Taking results in loss of revenue or increased expense, the Baseline Projection shall be appropriately adjusted to reflect such lost revenue or increased expense; provided, however, that if the property which is the subject of the Taking was constructed and financed by the Contractor, then the Contractor shall also receive the unamortized cost of such property. If the property which is the subject of the Taking is owned by the Contractor, any proceeds from the Taking shall belong to the Contractor. In the event of such a Taking, the Contractor shall make a recommendation regarding a proposed response or negotiating position with the Taking Authority, however, the final decision rests with the Authority. Notwithstanding anything herein, if any property necessary or desirable for the efficient operation of the Airport Facilities shall be the subject of a Taking, then the Contractor may, upon written notice to the Authority, terminate this Agreement.

Section 19.04. Insurance Proceeds. The Authority shall have the sole right to settle and adjust any insurance claims pertaining to any damage to the Airport Facilities and, subject to the Contractor's rights under this Article XIX, to receive and retain the proceeds thereof. The Authority shall control the disbursement of such insurance proceeds with respect to the repair and/or restoration of the damaged Airport Facilities.

ARTICLE XX.

INDEMNIFICATION AND OBLIGATIONS

Section 20.01. Contractor to Indemnify Authority. The Contractor (BAA USA Holdings, Inc. and BAA Indianapolis LLC, jointly and severally) shall defend, protect, indemnify, and hold harmless the Authority and its directors, officers, employees, agents, attorneys, successors, and assigns from all liability, claims, actions, charges, allegations, demands, administrative proceedings, costs, fines, penalties, investigations, and Damages of any nature whatsoever, including attorneys' fees (hereinafter referred to as "Claims"), which arise from the negligent act(s) or omission(s) or willful or intentional misconduct of the Contractor, its employees or agents in connection with the performance of this Agreement. Such Claims include, but are not in any way limited to, Claims relating to (a) personal injury (including bodily injury and mental injury) and/or damage to, loss of use of and/or loss of any personal or real property which is caused by or arises out of the negligent act(s) or omissions(s) or willful or intentional misconduct of the Contractor, its employees or agents; (b) any breach of any representation, covenant or warranty of the Contractor set forth in this Agreement; and/or (c) any violation by the Contractor, its employees or agents of any Legal Requirement.

Section 20.02. Authority to Indemnify Contractor. To the fullest extent permitted by law, the Authority agrees to defend, protect, indemnify, and hold harmless the Contractor, its parents (including, without limitation, the Parent Company), and subsidiaries and their shareholders, members, directors, officers, employees, agents, attorneys, successors, and assigns from all Claims which arise from or are due to (a) the operation of the Airport Facilities prior to the Effective Date; (b) the negligent act(s) or omission(s) or willful or intentional misconduct of the Authority, its agents or employees (excluding the Contractor, its employees or agents), including but not limited to Claims relating to personal injury and/or damage to, loss of use of and/or loss of any personal or real property; (c) any breach of any representation, covenant or warranty of the Authority set forth in this Agreement; and/or (d) any violation by the Authority, its employees or agents (excluding the Contractor and its employees and agents) of any

Legal Requirement. To the extent for any reason the Authority is unable to indemnify the Contractor as provided in this Article XX, the Authority and the Contractor shall negotiate in good faith to make appropriate adjustments to the Baseline Projection with the intent and purpose that the Contractor shall be benefitted by an amount equal to the indemnity that would otherwise have been paid.

Section 20.03. Environmental Indemnity to Contractor. Without limiting the applicability of Section 20.02 herein in any respect, the Authority shall indemnify and hold harmless the Contractor, its parents (including, without limitation, the Parent Company), and subsidiaries and their shareholders, members, directors, officers, employees, agents, attorneys, successors, and assigns for any Damages to the extent they arise from any of the following:

- (a) any Scheduled Condition;
- (b) any Release, threatened Release or disposal of any Hazardous Material at the Airport Facilities;
- (c) the violation of any Environmental Law at, or with respect to, the Airport Facilities;
- (d) any Environmental Claim in connection with the Airport Facilities;
- (e) the de-icing of airplanes at the Airport Facilities;
- (f) the exposure, whether or not resulting in disease or injury, of any person to Hazardous Materials at any time located on, released, released from, disposed on or migrating from the Airport Facilities;
- (g) any event, circumstance, occurrence, Release, threatened Release or condition that occurred or was in existence at the Airport Facilities; or
- (h) the inaccuracy or breach of any representation or warranty by the Authority contained in Section 8.09 herein.

All except for any such matter caused by or attributable to the negligent act(s) or omission(s) or willful or intentional misconduct of the Contractor, its employees or agents.

Section 20.04. Environmental Indemnity to Authority. Without limiting the applicability of Section 20.01 herein in any respect, the Contractor shall indemnify and hold harmless the Authority and its directors, officers, employees, agents, attorneys, successors, and assigns for any Damages to the extent they arise from any of the following on or after the Effective Date which are caused or attributable to the negligent act(s) or omission(s) or willful or intentional misconduct of the Contractor, its employees or agents:

- (a) any Release, threatened Release or disposal of any Hazardous Material at the Airport Facilities;
- (b) the violation of any Environmental Law at, or with respect to, the Airport Facilities;
- (c) any Environmental Claim in connection with the Airport Facilities;
- (d) the de-icing of airplanes at the Airport Facilities;
- (e) the exposure, whether or not resulting in disease or injury, of any person to Hazardous Materials at any time located on, released, released from, disposed on or migrating from the Airport Facilities; or
- (f) any violation of the terms of Sections 9.03 and 9.14 herein by the Contractor.

Section 20.05. Fines and Penalties. The Contractor shall be liable for civil or criminal penalties and/or fines imposed by any Governmental Authority for violation of any Legal Requirement, which civil or criminal penalties and/or fines are a result of the failure of the Contractor, its employees or agents to operate and maintain the Airport Facilities in accordance with the terms of this Agreement and/or otherwise arise out of or relate to the negligent act(s) or omission(s) or willful or intentional misconduct of the Contractor, its employees or agents. The Authority shall be liable for all other civil or criminal penalties and/or fines imposed by any Governmental Authority for violation of any Legal Requirement relating to the Airport Facilities for which the Authority is responsible (except for liability of the Contractor, its employees or agents). Each party hereby agrees to assist the other, to the extent warranted, in defending or contesting any such civil or criminal penalties and/or fines in any

administrative or court proceeding prior to the payment of such civil or criminal penalty and/or fine. Each party shall be responsible for the cost of contesting any civil or criminal penalty and/or fine for which it is liable hereunder.

Section 20.06. Demand for Indemnification. If any action is brought against a party to this Agreement entitled to indemnification pursuant to this Article XX (hereinafter referred to as an "Indemnified Party") in respect of which indemnity may be sought against the party granting indemnification (hereinafter referred to as an "Indemnifying Party") pursuant to this Article XX, the following provisions shall apply:

(a) Such Indemnified Party shall promptly notify such Indemnifying Party in writing of the commencement thereof;

(b) The failure to notify the Indemnifying Party of any such action shall not release the Indemnifying Party from any liability it may have to such Indemnified Party, unless the Indemnifying Party is prejudiced thereby, in which case the latter is released to the extent of the prejudice.

(c) In case any such action is brought against an Indemnified Party and it notifies an Indemnifying Party of the commencement thereof, the Indemnifying Party against which an indemnity claim is to be made shall be entitled to assume and conduct the defense of that action and to otherwise participate therein at its own expense, with counsel reasonably satisfactory to such Indemnified Party. The Indemnified Party shall still be entitled to have counsel chosen by the Indemnified Party participate in, but not conduct, the defense.

(d) If the defendants/opposing parties to any such action include both the Indemnified Party and the Indemnifying Party, and the Indemnified Party shall have reasonably concluded, based upon advice of counsel, that there may be legal defenses available to it and/or other indemnified parties which are different from or additional to those available to the Indemnifying Party, the Indemnified Party shall have the right to select separate counsel to assume such legal defenses and otherwise to participate in the defense of such action on behalf of such Indemnified Party or indemnified parties.

(e) Upon receipt of notice from the Indemnifying Party to such Indemnified Party of its election to assume the defense of such action and approval by the Indemnified Party of counsel, the Indemnifying Party shall not be liable to such Indemnified Party under this Article XX for any legal or other expenses subsequently incurred by such Indemnified Party in connection with the defense thereof unless, (i) the Indemnified Party shall have employed such counsel in connection with the assumption of legal defenses in accordance with Section 20.06(d) herein (it being understood, however, that the Indemnifying Party shall not be liable for the expenses of more than one separate counsel); (ii) the Indemnifying Party shall not have employed counsel reasonably satisfactory to the Indemnified Party to represent the Indemnified Party within a reasonable time after notice of commencement of the action; or (iii) the Indemnifying Party has authorized the employment of counsel for the Indemnified Party at the expense of the Indemnifying Party.

(f) An Indemnifying Party shall not be liable for any settlement of any Claim, action or proceeding effected without its written consent.

Section 20.07. Survival of Obligations. The obligations set forth under this Article XX shall survive the Termination Date.

ARTICLE XXI.

LIMITATIONS

Section 21.01. Occupation of Airport Facilities. The Contractor shall be entitled to occupy the Airport Facilities during the Term and any Renewal Term.

Section 21.02. Access to Airport Facilities. The Contractor shall allow the Authority access to all of the Airport Facilities at all times. The Authority shall have the right to conduct a performance audit and evaluation of the Contractor at such times as the Authority deems necessary and at the Authority's expense provided that such audit shall not unreasonably interfere with the Contractor's performance of its obligations hereunder. The Contractor agrees to cooperate with any such audit. The Authority may employ consultants, at its expense, to assist the Authority in the audit.

Section 21.03. Control. The Authority shall have no right to control or direct the Contractor or its employees in its operation of the Airport Facilities except as expressly provided in this Agreement.

ARTICLE XXII

MISCELLANEOUS

Section 22.01. Entire Agreement; Modification. This Agreement and the schedules attached hereto contain the entire understanding between the Authority and the Contractor with respect to the subject matter hereof, and supersede all prior and contemporaneous agreements and understandings, inducements, and conditions, expressed or implied, oral or written, except as herein contained. The express terms herein control and supersede any course of performance or usage of the trade inconsistent with any of the terms herein. This Agreement and the schedules attached hereto may not be modified or amended other than by an agreement in writing signed by the Authority and the Contractor.

Section 22.02. Waiver. Neither the failure nor any delay on the part of any party to exercise any right, remedy, power or privilege under this Agreement shall operate as a waiver thereof, nor shall any single or partial exercise of any right, remedy, power or privilege preclude any other or further exercise of the same or of any other right, remedy, power or privilege with respect to any occurrence be construed as a waiver of such right, remedy, power or privilege with respect to any other occurrence. No waiver shall be effective unless it is in writing and is signed by the party asserted to have granted such waiver.

Section 22.03. Authority's Ability to Waive Certain Provisions. If, based upon the advice of nationally recognized bond counsel, the Authority reasonably concludes that any provision of this Agreement would adversely affect any exclusion of interest for federal income tax purposes on any Tax-Exempt Obligations, the Authority may, at its option, either (i) waive such provision(s), in which case this Agreement shall be deemed to have been amended to delete such provision(s), or (ii) request the Contractor to negotiate in good faith to amend such provision(s) to reduce or eliminate such risk while preserving the original intent of the Authority and the Contractor to the extent practical. If any action taken under this Section 22.03 changes the scope of the services to be provided under this Agreement, the Authority and the Contractor shall make an appropriate adjustment to the Baseline Projection.

Section 22.04. Remedies. In the event of the breach of any provisions of this Agreement, the non-breaching party shall be entitled to reasonable attorneys' fees incurred for the enforcement of said provisions, in addition to Damages for the breach thereof. The remedies provided in this Agreement shall be cumulative and no one remedy shall be construed as exclusive of any other or of any remedy provided by law.

Section 22.05. Governing Law. This Agreement and all questions relating to its validity, interpretation, performance, and enforcement shall be governed by the laws and decisions of the courts of the State of Indiana, notwithstanding any Indiana or other conflict-of-law provision or court decision to the contrary.

Section 22.06. Consent to Jurisdiction. The Contractor hereby irrevocably consents to the jurisdiction of the Courts of the State of Indiana and of the Federal Court located in the Southern District of the State of Indiana, Indianapolis Division, in connection with any action or proceeding arising out of or relating to this Agreement or any document or instrument delivered with respect to any of the obligations hereunder. The Contractor hereby waives personal service of any process in connection with any such action or proceeding and agrees that the service thereof may be made by hand delivery or by certified or registered mail directed to the Contractor at any address of the Contractor set forth in this Agreement. In the alternative, in its sole discretion, the Authority may effect service upon the Contractor in any other form or manner permitted by law.

Section 22.07. Confidentiality. As used herein, the term "Confidential Information" shall mean any material information which is acquired by the Contractor or the Parent Company in carrying out the duties under this Agreement and which had not become part of the body of public information prior to its disclosure in violation of this Section 22.07. Except as otherwise required by any law or court order or by stock exchanges, as required to be disclosed to trustees under existing indebtedness of the Contractor or its affiliates, or as authorized or permitted by the Authority, the Contractor and the Parent Company shall not disclose or permit the disclosure of any Confidential Information to anyone other than each other, the Authority, its agents or representatives, except as reasonably required to carry out the duties of the Contractor under this Agreement. The Contractor shall (i) immediately notify the Authority of any court order or subpoena requiring disclosure of Confidential Information; (ii)

cooperate with the Authority in the appeal or challenge of any such order or subpoena, provided the cost of any such appeal or challenge shall be the sole obligation of the Authority; and (iii) not disclose, to the extent legally permitted, any Confidential Information pursuant to such court order or subpoena until the Authority has exhausted or has failed to diligently pursue any lawful and timely appeal or challenge that the Authority elects to file or make.

Section 22.08. Notices. All notices, requests, demands, and other communications required or permitted under this Agreement shall be in writing and shall be deemed to have been received when delivered by hand or by facsimile (with confirmation by registered or certified mail) or on the third Business Day following the mailing, by registered or certified mail, postage prepaid, return receipt requested, thereof, addressed as set forth below:

To the Authority:
Michael W. Wells, President
Indianapolis Airport Authority
Indianapolis International Airport
Indianapolis, Indiana 46241
Telephone _____
Facsimile _____

With a copy to:
Joseph E. DeGroff, Esq.
BINGHAM SUMMERS WELSH & SPILMAN
2700 Market Tower
10 West Market Street
Indianapolis, Indiana 46204
Telephone (317)635-8900
Facsimile (317)236-9907

To the Contractor:
David Roberts, Airport Director
BAA Indianapolis LLC
Indianapolis International Airport
Indianapolis, Indiana 46241
Telephone _____
Facsimile _____

With a copy to:
Robert D. Swhier, Jr., Esq.
DANN PECAR NEWMAN & KLEIMAN, P.C.
One American Square, Suite 2300
Box 82008
Indianapolis, Indiana 46282
Telephone (317)632-3232
Facsimile (317)632-2962

Any party hereto may change the address to which notices are to be sent by giving notice of such change of address in conformity with this Section 22.08.

Section 22.09. Binding Nature of Agreement; No Assignment. This Agreement shall be binding upon and inure to the benefit of the Authority and the Contractor and their successors and assigns, except that no party may assign or transfer its rights or obligations under this Agreement without the prior written consent of the other party hereto.

Section 22.10. Nature of Relationship. The relationship which the Authority and the Contractor intend to create under this Agreement is that of owner and independent contractor. Nothing herein is intended to, or shall be construed to, create the relationship of partners, of joint venturers or of employment between the Authority and the Contractor. The Authority shall not have the right to direct or control the activities or practices of the Contractor except as expressly provided in this Agreement. The Contractor may at its discretion for the purpose of purchasing goods and services act as an agent for the Authority and so certify to the providers.

Section 22.11. Execution in Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original as against any party whose signature appears thereon, and all of which shall together constitute one and the same instrument. This Agreement shall become binding when one or more counterparts thereof, individually or taken together, shall bear the signatures of the Authority and the Contractor reflected hereon as the signatories.

Section 22.12. Severability. The provisions of this Agreement and of each section or other subdivision herein are independent of and separable from each other, and no provision shall be affected or rendered invalid or unenforceable by virtue of the fact that for any reason any other or others of them may be invalid or unenforceable in whole or in part unless this Agreement is rendered totally unenforceable thereby.

Section 22.13. Article and Section Headings. The article and section headings in this Agreement are for convenience of reference only. The article and section headings form no part of this Agreement and shall not affect its interpretation.

Section 22.14. Gender. Words used herein, regardless of the number and gender specifically used, shall be deemed and construed to include any other number, singular or plural, and any other gender, whether masculine, feminine or neuter, which the context may require.

Section 22.15. Sections. This Agreement is divided into sections, numbered in whole arabic numbers, each of which is subdivided into subdivisions numbered with the whole arabic designation of the section in which it is located, followed by a decimal point and an arabic numeral designating the subdivision. Both the sections and the subdivisions are referred to as "Sections." In construing this Agreement, the word Section should be given the meaning which its context suggests and doubts should be resolved in favor of the broader designation.

Section 22.16. Business Conduct. The maintenance of extremely high standards of honesty, integrity, impartiality, and conduct by the Contractor, its employees and agents is essential to assure the proper performance of this Agreement and the maintenance of public confidence in the Authority. The Contractor shall uphold and meet these high standards and use its best judgment to avoid misconduct and conflicts of interest and require the same of its employees and agents. Other employment or financial interests that are held to conflict with the interests of the Authority shall not be permitted; provided that certain employment or financial interests of the Contractor with respect to the Airport Facilities have been authorized herein.

Section 22.17. No Third Party Beneficiaries. Nothing herein is intended to give, nor shall it have the effect of giving, any enforceable rights to any third parties who are not parties hereto or successors or permitted assigns of the parties hereto, whether such claims are asserted as third party beneficiary rights or otherwise.

Section 22.18. Number of Days. Except as expressly stated to the contrary elsewhere herein, in computing the number of days, for purposes of this Agreement, all days shall be counted, including Saturdays, Sundays, and legal holidays; provided, however, that if the final day of any time period falls on a Saturday, Sunday or legal holiday, then the final day shall be deemed to be the next day which is not a Saturday, Sunday or legal holiday.

Section 22.19. Consents. Unless otherwise specified, the IAA Board shall have full power and authority to agree, consent, and approve on the Authority's behalf for all purposes of this Agreement. Whenever the consent or approval of a party is required by this Agreement, it shall not be unreasonably withheld or delayed.

Section 22.20. Non-liability of Officials. No official, director, officer, employee or agent of the Authority, the Contractor or the Parent Company shall be charged personally by the other party, its employees or agents with any liabilities or expenses of defense or be held personally liable to the other party under any term or provision of this Agreement or because of the execution by such party of this Agreement or because of any default by such party hereunder.

Section 22.21. Subordination. To the extent of a conflict or inconsistency between this Agreement and any agreement described in subparagraphs (a) or (b) below, those provisions in this Agreement so conflicting or inconsistent shall be performed as required by those agreements described in subparagraphs (a) or (b) below.

(a) This Agreement shall be and remain subordinate to the provisions of any existing or future agreements between the Authority and the United States government, or other Governmental Authority, relative to the operation or maintenance of the Airport Facilities, the execution of which has been or will be required as a condition precedent to the granting of federal or other governmental funds for the development of the Airport Facilities.

(b) This Agreement and all rights granted to the Contractor hereunder are expressly subordinate and subject to any existing airline use agreement with any airline operating at the Airport Facilities. In connection with the execution of this Agreement, the Contractor acknowledges and agrees that it has received the existing airline use agreements and it has read and understands the relevant provisions of such agreements as they apply to this Agreement.

If any agreement entered into by the Authority under Sections 22.21(a) or (b) herein changes the scope of the services to be provided under this Agreement, an appropriate adjustment to the Baseline Projection shall be negotiated in good faith by the Authority and the Contractor.

Section 22.22. Advertising and Promotion The Contractor shall not erect, install, place or use at the Airport Facilities any advertising or promotional device intended to attract attention to the Contractor as a business entity or otherwise, including, but not limited to, signs and electronic or radio loudspeakers, without obtaining the prior written consent of the Authority. Notwithstanding the foregoing, the Contractor may use those trademarks and servicemarks set forth in Schedule 22.22 attached hereto at the locations and in the manner described in said schedule. The Authority shall obtain no rights in any of such marks and on the Termination Date all such marks shall be removed or covered. Nothing contained in this Section 22.22 shall limit the Contractor's responsibility to erect directional, warning or safety signs or signals.

Section 22.23. Schedules. Each schedule to this Agreement is incorporated in and made part of this Agreement as if set forth in full whenever in this Agreement reference is made thereto.

Section 22.24. Surrender of Possession. On the Termination Date, the Contractor shall forthwith surrender the Airport Facilities to the Authority in good order, repair, and condition, ordinary wear and tear excepted.

Section 22.25. Survival of Representations and Warranties. The representations and warranties of the Contractor set forth in Article VII herein and the representations and warranties of the Authority set forth in Article VIII herein shall survive until May 1, 1997.

Section 22.26. Primary Contractor. It is the intent of the parties hereto that BAA Indianapolis LLC shall be the primary contractor under this Agreement, that all obligations of the Contractor under this Agreement shall be performed by BAA Indianapolis LLC, and that all payments of any kind required to be made to the Contractor hereunder shall be made to BAA Indianapolis LLC.

Section 22.27. Due Inquiry. Where any representation or warranty contained herein refers to the knowledge, information or belief of the Authority or the Contractor, it shall be deemed to incorporate a statement that reasonable and proper inquiry into the subject matter of such representation or warranty has been made by the party giving that representation or warranty.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

BAA Indianapolis LLC

By: _____

Printed: _____

Title: _____

BAA USA Holdings, Inc.

By: _____

Printed: _____

Title: _____

Indianapolis Airport Authority

By: _____

Michael W. Wells, President

✓ PROPOSAL NO. 491, 1995. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 491, 1995 on August 8, 1995. The proposal elects to fund MECA in 1996 with COIT revenues. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 491, 1995 was adopted on the following roll call vote; viz:

20 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Hinkle, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

3 NAYS: Gilmer, Gray, Williams

6 NOT VOTING: Beadling, Giffin, Golc, Jimison, Jones, Short

Proposal No. 491, 1995 was retitled SPECIAL ORDINANCE NO. 14, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 14, 1995

A SPECIAL ORDINANCE election to fund MECA in 1996 with County Option Income Tax Revenues.

WHEREAS, IC 36-8-15-19(b) provides that the City-County Council may elect to fund the operation of a public safety communications system and computer facilities special taxing district from part of the certified distribution the county is to receive during a particular calendar year under IC 6-3.5-6-17; and

WHEREAS, the Marion County Metropolitan Emergency Communications Agency ("MECA") is the governing body of the Consolidated City of Indianapolis and Marion County public safety communications system and computer facilities district ("District"); and

WHEREAS, to make such an election for 1996, the City-County Council, prior to September 1, 1995, must pass an ordinance specifying the amount of the certified distribution to be used to fund the District; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby elects to fund the operation of the District through MECA in 1996 from part of the certified distribution the county is to receive under IC 6-3.5-6-17.

SECTION 2. The amount of the certified distribution to be used for this purpose is \$2,000,000.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 389, 1995. The proposal, sponsored by Councillor Smith, authorizes a multi-way stop at Fairlane West Drive and Indian Creek Road South (District 23). PROPOSAL NO. 492, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Wallace Avenue and Walnut Street (District 15). PROPOSAL NO. 493, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Euclid Avenue and 15th Street (District 15). Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 389, 492 and 493, 1995 on August 16, 1995. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 389, 492 and 493, 1995 were adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 NOT VOTING: Giffin

Proposal No. 389, 1995 was retitled GENERAL ORDINANCE NO. 129, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 129, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY
OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
49, Pg. 2	Fairlane West Dr & Indian Creek Rd S	Indian Creek Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
49, Pg. 2	Fairlane West Dr & Indian Creek Rd S	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 492, 1995 was retitled GENERAL ORDINANCE NO. 130, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 130, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 35	Wallace Av & Walnut St	Wallace Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 35	Wallace Av & Walnut St	None	All Stop

August 28, 1995

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 493, 1995 was retitled GENERAL ORDINANCE NO. 131, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 131, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection traffic controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 18	Euclid Av & 15th St	Euclid Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 18	Euclid Av & 15th St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

General Counsel read the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition Nos. 95-Z-54 and 95-Z-55, Proposal Nos. 574 and 575, 1995, at its next regular meeting on September 11, 1995, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. Petition No. 95-Z-54 proposes to rezone 36.82 acres at 8377 East 96th Street from I-2-S District to C-1 classification to provide for permitted C-1 uses. Petition No. 95-Z-55 proposes to rezone 49.60 acres at 9589 Hague Road from C-6 and I-2-S Districts to C-4 classification to provide for retail and theater uses.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:35 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 28th day of August, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

Burt Serwaas

President

ATTEST:

Sullen Hart

Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, SEPTEMBER 11, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:06 p.m. on Monday, September 11, 1995, with Councillor SerVaas presiding.

Councillor Short led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

26 PRESENT: Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Tilford, West, Williams
3 ABSENT: Brents, Giffin, Smith

A quorum of twenty-six members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor O'Dell introduced Sherry Gass, Director, Greenleaf Community Center. Councillor Dowden recognized the neighbors and remonstrators concerned about the proposed Meijer project on 96th Street. Councillor Golc introduced Diane Arnold, Director, Hawthorne Community Center.

Councillor Borst recognized the Council's efforts in bringing the Circle Centre Mall to fruition. President SerVaas recognized the investors that participated in the Mall's financing.

Councillor Hinkle introduced Carol Curl, candidate for City-County Council. Councillor Gray introduced State Senator Glenn Howard and State Representative Bill Crawford. Councillor Jimison introduced Helen Lands, Executive Director, Crooked Creek Multi-Service Center. Councillor O'Dell introduced Reverend John Hay, Director, John Boner Community Center.

Councillor Boyd recognized the 25 years of service by Robert G. Elrod, General Counsel.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, September 11, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

August 29, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Thursday, August 31, 1995, a copy of a NOTICE TO TAXPAYERS of Public Hearing on Proposal Nos. 124 and 528, 1995, and a NOTICE OF PUBLIC HEARING on Proposal Nos. 574 and 575, 1995, to be held on Monday, September 11, 1995, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

September 1, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

FISCAL ORDINANCE NO. 78, 1995, an appropriation of \$15,530 for the County Sheriff to provide security at the Marion County Children's Guardian Home financed by a transfer of funds from the Children's Guardian Home's County General Fund

FISCAL ORDINANCE NO. 79, 1995, an appropriation of \$294,000 for the County Sheriff, Community Corrections, and the Marion County Justice Agency to continue various programs to divert misdemeanor populations from state penal facilities financed by revenues from the County Correction Fund

FISCAL ORDINANCE NO. 80, 1995, an appropriation of \$767,171 for the Department of Public Works, Environmental Resources Management Division, to meet the City's obligation to the Northside Landfill

September 11, 1995

Superfund and to address USEPA's concerns at the City-owned Tibbs-Banta Landfill financed from Sanitation General Fund balances

GENERAL ORDINANCE NO. 128, 1995, recodifies the cable television regulations

GENERAL ORDINANCE NO. 129, 1995, authorizes a multi-way stop at Fairlane West Drive and Indian Creek Road South (District 23)

GENERAL ORDINANCE NO. 130, 1995, authorizes a multi-way stop at Wallace Avenue and Walnut Street (District 15)

GENERAL ORDINANCE NO. 131, 1995, authorizes a multi-way stop at Euclid Avenue and 15th Street (District 15)

SPECIAL ORDINANCE NO. 10, 1995, authorizing the issuance of economic development water facilities revenue bonds in an aggregate principal amount not to exceed \$18 million for the Indianapolis Water Company

SPECIAL ORDINANCE NO. 11, 1995, authorizes the lease by the Indianapolis Department of Parks and Recreation of approximately 35 acres of land formerly known as the Riverside Nursery to R. N. Thompson & Associates, Inc. for the construction, development, and management of a golf academy

SPECIAL ORDINANCE NO. 12, 1995 authorizes the lease by the Indianapolis Department of Parks and Recreation of approximately 150 acres of land currently consisting of a nine-hole golf course and driving range and commonly referred to as Winding River Municipal Golf Course to R. H. West Management Corporation for the construction, development, and management of an eighteen-hole golf course

SPECIAL ORDINANCE NO. 13, 1995 authorizes the Agreement for the Operation and Maintenance of the Indianapolis International Airport Facilities by and Between the Indianapolis Airport Authority, BAA Indianapolis LLC, and BAA USA Holdings, Inc.

SPECIAL ORDINANCE NO. 14, 1995 elects to fund MECA in 1996 with COIT revenues

SPECIAL RESOLUTION NO. 53, 1995, approves the issuance of \$13 million of Notes for the purpose of paying the costs of certain infrastructure improvements in the Decatur Township portion of the Airport Industrial Economic Development Area

SPECIAL RESOLUTION NO. 72, 1995, recognizes the 25 years of city service by Gary Isterling

SPECIAL RESOLUTION NO. 73, 1995, recognizes the South East Community Organization

SPECIAL RESOLUTION NO. 74, 1995, urges the completion of I-69 from Indianapolis to Texas

SPECIAL RESOLUTION NO. 75, 1995, urges full membership of the Republic of China (Taiwan) by the United Nations

SPECIAL RESOLUTION NO. 76, 1995, recognizes the 75th Anniversary of the Women's Suffrage Amendment

SPECIAL RESOLUTION NO. 77, 1995, authorizes the lease of office space for the Franklin Township Assessor at 4531 Independence Square

SPECIAL RESOLUTION NO. 78, 1995 approves a public purpose grant in the amount of \$65,000 to Indiana University at Indianapolis for the purpose of financing educational access cable television programming

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

**PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS
AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 601, 1995. This proposal, sponsored by Councillors Mullin, Borst, and Coughenour, recognizes the Bible Bowl Team of Southport Heights Christian Church. Councillor Mullin read the proposal and presented a copy of the document to team members Jacob Harris, Heather Harris, Jenny Ziegler, and Heather Bordelon; Roger and Donna Graham, team sponsors; and Gary Bordelon, Minister of Education. Ms. Ziegler expressed appreciation for the recognition. Councillor Mullin moved, seconded by Councillor Borst, for adoption. Proposal No. 601, 1995 was adopted by a unanimous voice vote.

Proposal No. 601, 1995 was retitled SPECIAL RESOLUTION NO. 79, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 79, 1995

A SPECIAL RESOLUTION recognizing the Bible Bowl Team of Southport Heights Christian Church.

WHEREAS, during the 36 years of ministry by the Southport Heights Christian Church, the Church has entered teams in the Bible Bowl 25 times, and finished in the top eight in the nation ten times; and

WHEREAS, this year's Southport Heights Team was well prepared for the questions about the Book of Exodus during the North American Christian Convention Bible Bowl contest that was held in the Indiana Convention Center; and

WHEREAS, eleven hundred, seventh to twelfth grade students entered the contest, but the Southport Heights youth team emerged as the number one team in America, even topping their second place at the Orlando Convention last year; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis City-County Council recognizes and congratulates the Southport Heights Christian Church winning Bible Bowl team: Jacob and Heather Harris, Jenny Ziegler, and Heather Bordelon, as well as team sponsors Roger and Donna Graham and Minister of Education Gary Bordelon.

SECTION 2. Jacob and Heather Harris are students at Southport, Jenny Ziegler is a graduate of Beech Grove and now is a student at the University of Indianapolis and Heather Bordelon is at Franklin Township Middle School; all high schoolers ranked in the top three of their class and all have been involved in sports and other school activities.

SECTION 3. The Council commends the winning students, their parents and sponsors, the ministers and Sunday School teachers who over the years have nurtured these champions, and all the members and friends of the congregation for their support of a positive climate of Christian education, inspiration and renewal.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Dowden asked for consent to hear Proposal Nos. 574-575, 1995 at this time. Consent was given.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NOS. 574-575, 1995. PROPOSAL NO. 574, 1995. The proposal approves Petition No. 95-Z-54 to rezone 36.82 acres at 8377 East 96th Street from I-2-S District to C-1 classification to provide for permitted C-1 uses. PROPOSAL NO. 575, 1995. The proposal approves Petition No. 95-Z-55 to rezone 49.60 acres at 9589 Hague Road from C-6 and I-2-S Districts to C-4 classification to provide for retail and theater uses. The proposals were certified by the Metropolitan Development Commission on August 18, 1995. On August 28, 1995 Councillor Dowden moved to schedule Proposal Nos. 574-575, 1995 for public hearing on September 11, 1995. That motion passed by a unanimous voice vote.

Councillor Dowden stated that Michael Quinn, attorney for the petitioner, and Brad Williams, attorney for the neighborhood associations, advised him that a resolution of this rezoning matter had been reached. Councillor Dowden stated that many questions remain about the 96th Street bridge and the Indiana Department of Transportation's commitment to the project. Councillor Dowden stated that Greg Henneke, Director, Department of Capital Asset Management, received the following letter from the Indiana Department of Transportation:

Dear Mr. Henneke,

Please consider this letter as a commitment by the Indiana Department of Transportation to fund the bridge widening project at the I-69 and 96th Street interchange.

This project is currently scheduled for a letting in June 1996 at a total cost of approximately \$7 million.

If you have any questions or need additional information please feel free to contact me.

Sincerely,
s/Richard C. Whitney
Chief, Policy and Budget Division

Councillor Dowden stated that, if the Council approves the rezonings, the bridge widening project would parallel the Meijer project.

Mr. Quinn stated that he and Mr. Crawford have been in continuous negotiations for more than a week. Mr. Quinn stated that an agreement had been reached by both sides to modify the commitments that were certified by the Metropolitan Development Commission. The modifications include: (1) sound levels will be contained by disallowing speakers on the building, however, there will be a speaker allowed in the garden center but it cannot have a higher decible level than the sound of the existing traffic on Village Way; (2) the air-conditioning and mechanical units on the roof will be buffered by at least a three-foot parapit on the sides that border the homes, and these units cannot have a sound level higher than the ambient traffic noise on Village Way; and (3) the proposed center will have only one egress point -- no egress will be available to Village Way.

Mr. Williams thanked the Council, specifically Councillor Dowden, for intervening in the rezoning matters.

Councillor Dowden moved, seconded by Councillor Schneider, for adoption of Proposal Nos. 574-575, 1995, with the amended commitments.

Frank Hogan, attorney, stated that he represents John Knevel, who lives on the corner of Hadway Drive and Village Way (9576 Hadway Drive). He stated that he was hired one week ago and due to scheduling conflicts had not had an opportunity to meet with Mr. Quinn. Mr. Hogan stated that the proposed project will have an adverse affect on Mr. Knevel. Mr. Hogan read the following letter from Bank One:

Dear Mr. Knevel,

Please accept this letter as verification of the appraisal and underwriting findings regarding your property located at 9576 Hadway Drive, Indianapolis, IN.

Our records indicate that you purchased the home in March of 1993 for \$135,000.00. In July 1995 you applied for additional home equity financing. At that time your property was appraised with a value of \$114,000.00.

The appraisal and underwriting departments reviewed your application. Their staff indicated that the reduction in the appraised value primarily reflects the strong likelihood that the large tract of undeveloped property immediately to the west of your property will be developed for retail use. An additional factor is the increased traffic volume associated with a large retail development.

Sincerely,
s/Jay Hoffman
Personal Banking Specialist

Mr. Hogan stated that the impact of the proposed retail center will be much greater on his client's property than the other surrounding homes. Mr. Hogan urged the Council to consider the impact on his client before passing Proposal Nos. 574-575, 1995. President SerVaas asked Mr. Quinn to speak with Mr. Hogan regarding this matter.

Jim McKalip, citizen, asked if the public would be allowed to speak. President SerVaas stated that the two attorneys of record in this matter have agreed upon a resolution. Mr. McKalip stated that he was not invited to the agreement negotiations, has not been represented in this matter, and could offer new information to the Council. President SerVaas asked Mr. McKalip to approach the microphone and offer his views.

Mr. McKalip stated that his objections to the proposed project are based on (1) the increased traffic and the traffic detours through the neighborhoods during widening of the main streets; (2) the drainage problems that currently exist, which will worsen with a retail center; and (3) lack of enforcement by Hamilton County of the existing traffic laws. He urged Hamilton and Marion Counties to provide infrastructure first, then development.

Councillor O'Dell requested for permission to abstain from voting, due to a conflict of interest. Permission was granted.

The President reminded the Councillors that under Council rules the vote to sustain the Commission's approval to rezone this property will take 12 "yes" votes; to reject will take 18 "no" votes. The Commission's decision was approved and Proposal Nos. 574 and 575, 1995 were adopted by the following roll call vote; viz:

21 YEAS: Beadling, Borst, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, Rhodes, Schneider, SerVaas, Shambaugh, Short, Tilford, West, Williams

4 NAYS: Black, Boyd, Franklin, Jimison

1 NOT VOTING: O'Dell

3 ABSENT: Brents, Giffin, Smith

Proposal Nos. 574-575, 1995, were retitled REZONING ORDINANCE NOS. 136-137, 1995 and are identified as follows:

REZONING ORDINANCE NO. 136, 1995. 95-Z-54. LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 4.

8377 EAST 96TH STREET (approximate address), INDIANAPOLIS.

BOEHRINGER MANNHEIM CORPORATION, by Thomas Michael Quinn, requests the REZONING of 36.82 acres, being in the I-2-S District, to the C-1 classification to provide for permitted C-1 uses.

REZONING ORDINANCE NO. 137, 1995. 95-Z-55. LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 4.

9589 HAGUE ROAD (approximate address), INDIANAPOLIS.

BOEHRINGER MANNHEIM CORPORATION, by Thomas Michael Quinn, requests the REZONING of 49.60 acres, being in the C-6 & I-2-S Districts, to the C-4 classification to provide for retail and theater uses.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 602, 1995. The proposal, sponsored by Councillors Boyd, Gray, and Jones, instructs the Municipal Corporations Committee of the Indianapolis City-County Council to conduct an information sharing meeting concerning the Indianapolis Metro system. Councillor Boyd read the proposal into the record and then moved, seconded by Councillor Jones, for adoption.

Councillor Jimison moved, seconded by Councillor Black, to amend Proposal No. 602, 1995 as follows:

Mr. President:

I move to amend Proposal No. 602 by the addition of the words underlined in the preamble as follows:

A COUNCIL RESOLUTION instructing the Municipal Corporations Committee and the DCAM Committee of the Indianapolis City-County Council to conduct an information sharing meeting concerning the Indianapolis METRO system,

and

Section 1. The Indianapolis City-County Council, by passage of this resolution, instruct its Municipal Corporations Committee and the DCAM Committee to conduct a special general information sharing Committee meeting concerning METRO.

s/Councillor Z. Mae Jimison

Councillor Schneider asked if the proposal would permit a joint meeting of the Municipal Corporations and the Department of Capital Asset Management Committee ("DCAM"). Councillor Boyd answered in the affirmative. President SerVaas advised Councillors Gilmer and Schneider to meet and set a date for the special joint committee meeting.

Councillor Gray stated that the special meeting should occur prior to the passage of Metro's 1996 budget. President SerVaas stated that the funds will be appropriated during the budget hearings, but the special joint committee hearing will determine how the funds are spent as well as address the current problems of surface transportation. President SerVaas urged any interested parties to attend the budget hearings of the Municipal Corporations Committee and the DCAM Committee as well as attend the special joint committee meeting.

Councillors McClamroch and Coughenour expressed support of the proposal and urged the committees to hold the special meeting in order to address the concerns of all entities involved with Metro. Councillor Gray stated that much of the confusion regarding Metro would be alleviated if the Mayor would come forth with his plan concerning Metro's future.

Councillor Jimison's amendment passed by a unanimous voice vote. Proposal No. 602, 1995, as amended, was adopted by a unanimous voice vote.

Proposal No. 602, 1995, as amended, was retitled COUNCIL RESOLUTION NO. 59, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 59, 1995

A COUNCIL RESOLUTION instructing the Municipal Corporations Committee and the DCAM Committee of the Indianapolis City-County Council to conduct an information sharing meeting concerning the Indianapolis METRO system.

WHEREAS, acting as an agent of the city of Indianapolis and "on behalf of the local taxpayer, it is the mission of the Indianapolis Public Transportation Corporation [IPTC and its Metro buses] to offer select mobility options which enable citizens greater choice in employment, education and social opportunities delivered with the highest quality at the least cost;" and

WHEREAS, current discussions going on in the City of Indianapolis concerning the funding and general budgetary status of the IPTC have caused significant discomfort among some citizen groups and have raised major questions concerning the scope of service in both the immediate and the distant future; and

WHEREAS, inadequate and questionable public transportation facilities, while impacting most immediately minority and economically depressed groups, has far-ranging ripple effects in the business, industrial and general commercial worlds; and

WHEREAS, though it is not a primary goal of local government to provide direct employment for citizens, local government does have a responsibility to treat with humaneness, compassion and fairness those who are in its employ; and

WHEREAS, questions have been raised concerning the advisability of the city being the broker and direct user of the 6.2 million dollars made available through the state General Assembly to cover some of the operating costs of IPTC; and

WHEREAS, many persons in the community, including representatives of the city administration, have observed that some of the anxiety extant in the community is in large part the consequence of misinformation; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council, by passage of this resolution, instructs its Municipal Corporations Committee and the DCAM Committee to conduct a special general information sharing committee meeting concerning Metro.

SECTION 2. That at a minimum each of the following entities be invited to designate a person to make a formal presentation:

- Mayor's Office
- Riders Advisory Council
- Amalgamated Transit Union
- Transportation Coalition
- IPTC Board
- Transit Riders Union

SECTION 3. The transcript of such meeting shall be made available to the public at cost.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Boyd requested that official invitations be sent to the entities suggested in the proposal as well as anyone else expressing interest in the matter. For the record, President SerVaas instructed the Clerk to send official invitations to interested entities/parties for the special joint committee meeting.

PROPOSAL NO. 489, 1995. The proposal, sponsored by Councillor McClamroch, appoints William Brown to the Air Pollution Control Board. Councillor McClamroch moved, seconded by Councillor Coughenour, for adoption. Proposal No. 489, 1995 was adopted by a unanimous voice vote.

Proposal No. 489, 1995 was retitled COUNCIL RESOLUTION NO. 60, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 60, 1995

A COUNCIL RESOLUTION appointing William Brown to the Air Pollution Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Air Pollution Control Board, the Council appoints:

William Brown

SECTION 2. The appointment made by this resolution is for a term ending June 4, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Councillor Gilmer stated that Mr. Brown was present and asked that he approach the microphone for recognition. Mr. Brown expressed appreciation for the appointment.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 583, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which approves a lease between the Department of Metropolitan Development and the Murat Temple Association, Inc."; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 584, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which an appropriation of \$3,401,732 for the Marion County Office of Family and Children to pay the expenses of the wards in institutions financed by revenues from the Family and Children Fund"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 585, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which an appropriation transferring \$35,500 to the correct character in the State and Federal Grants Fund for the Prosecuting Attorney to pay

necessary expenses associated with the Governor's Council on Impaired and Dangerous Driving"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 586, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which an appropriation of \$39,725 for the Marion County Public Defender Agency to continue a project that assists with expediting cases and alleviating jail overcrowding financed by revenues from a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 587, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which moves responsibility for management of abandoned vehicles from the Department of Public Works, Solid Waste Management Division, to the Office of Corporation Counsel, Contract Compliance Division"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 588, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Irma J. Neal as Deputy Mayor of Neighborhoods of the City of Indianapolis"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 589, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which clarifies that the Board of Capital Asset Management has authority over sanitary sewer construction permits"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 590, 1995. Introduced by Councillors Shambaugh and Gray. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal for Kevin Way and 38th Street (Districts 8, 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 591, 1995. Introduced by Councillors Gray and Shambaugh. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at Falcon Drive and 34th Street (Districts 8, 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 592, 1995. Introduced by Councillor Tilford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes stop signs for Maple Creek Country Club Estates subdivision (District 12)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 593, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes multi-way stops for the subdivision of Fall Creek Proper, Citizens Place (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 594, 1995. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes stop signs for Country Pointe subdivision (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 595, 1995. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes multi-way stops for Sunningdale Boulevard and Country Club Road (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 596, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes stop signs for Gray Road and Stone Mill Drive, and for Stone Mill Drive and Linwood Avenue located in the Stone Mill and Gray Hollow subdivisions (District 24)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 597, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Butler Avenue and Julian Avenue (District 13)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 598, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 18th Street and Alton Avenue (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 599, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 58th Street and Guilford Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 600, 1995. Introduced by Councillors Boyd, Jones, and Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes changes in the speed limit for Keystone Avenue from I-70 to I-465 (Districts 3, 6, 7, 10, 11)"; and the President referred it to the Capital Asset Management Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 603-604, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on September 6, 1995." The Council did not schedule Proposal Nos. 603-604, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 603-604, 1995 were retitled REZONING ORDINANCES NOS. 138-139, 1995 and are identified as follows:

REZONING ORDINANCE NO. 138, 1995. 95-Z-62. WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 13.

956 NORTH GIBSON STREET (approximate address), INDIANAPOLIS.

ROBERT D. and CHRISTINA COGHILL, by Henry Y. Dein, request the rezoning of 0.27 acre, being in the D-3 District, to the C-3 classification to provide for the expansion of an existing gasoline station.

REZONING ORDINANCE NO. 139, 1995. 94-Z-64. DECATUR TOWNSHIP.
COUNCILMANIC DISTRICT # 19.

5102 STANLEY ROAD (approximate address), INDIANAPOLIS.

DAYSRING DEVELOPMENT, INC., by Stephen D. Mears, requests the rezoning of 71.98 acres, being in the D-A (FF) and SU-9 Districts, to the C-S classification to provide for a range of specific commercial C-4 and C-6 District uses, and I-1-S, I-2-S, I-3-S and I-4-S District uses, including commercial parking, motel, automobile leasing/renting, convenience market, restaurant, gasoline

station, outdoor advertising sign, industrial manufacturing, research laboratory, assembly, warehousing, distribution and truck terminal uses.

PROPOSAL NOS. 605-609, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on September 6, 1995." The Council did not schedule Proposal Nos. 605-608, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 605-608, 1995 were retitled REZONING ORDINANCES NOS 140-144, 1995 and are identified as follows:

REZONING ORDINANCE NO. 140, 1995. 95-Z-100. WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 5.

11550 EAST 30TH STREET (APPROXIMATE ADDRESS), (AMENDED) INDIANAPOLIS,
CEDAR RUN LTD., INC. requests the REZONING of 119.491 acres, being in the D-A(FF) District, to the D-3(FF) classification to provide for a single-family residential subdivision development.

REZONING ORDINANCE NO. 141, 1995. 94-Z-113. WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 18.

6282 WEST 21ST STREET (APPROXIMATE ADDRESS), INDIANAPOLIS,
J & M DEVELOPMENT COMPANY, INC., by James B. Burroughs, requests the REZONING of 44.647 acres, being in the D-A(FF)(FW) Districts, to the C-S(FF)(FW) classification to provide for a mixed use of industrial, commercial and residential development.

REZONING ORDINANCE NO. 142, 1995. 95-Z-119. PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 1.

5607 WEST 86TH STREET (APPROXIMATE ADDRESS), INDIANAPOLIS,
RTM INDIANAPOLIS, INC. requests the REZONING of 1 acre, being in the I-2-S District, to the C-3 classification to provide for a restaurant.

REZONING ORDINANCE NO. 143, 1995. 95-Z-121. CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 9.

517 WEST 30TH STREET (APPROXIMATE ADDRESS), INDIANAPOLIS, (Amended)
NORTHSIDE NEW ERA BAPTIST CHURCH requests the REZONING of 1.00 acre, being in the C-1 and D-5 Districts, to the SU-1 classification to provide for church use.

REZONING ORDINANCE NO. 144, 1995. 95-Z-132. PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 25.

2415 WEST THOMPSON ROAD (APPROXIMATE ADDRESS), INDIANAPOLIS,
FIRST OF AMERICA BANK - INDIANA, by J. Murray Clark, requests the REZONING of 5.107 acres, being in the D-A(FF) District, to the I-3-S(FF) classification to provide for office use, warehousing and distribution operations and other permitted industrial uses.

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT SPECIAL ORDERS - PUBLIC HEARING

A quorum being present, the President called the Solid Waste Collection Special Service District Council to order at 8:28 p.m.

PROPOSAL NO. 124, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 124, 1995 on August 17, 1995. The proposal is an appropriation of \$716,791 for the Department of Public Works, Contract Compliance Division, to contract with the Department of Public Safety, Animal Control Division, for the operation of the animal control shelter operations beginning July 1, 1995 financed by revenues from the Solid Waste Collection Fund. By a 7-1 vote the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 8:33 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Dowden, for adoption.

Councillor Gray stated that he voted against this proposal in Committee because the Mayor promised the Council that the money in this fund would be used only for infrastructure, and now the City is borrowing money from the fund for other uses.

Proposal No. 124, 1995, as amended, was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Tilford, West*

0 NAYS:

3 NOT VOTING: *Golc, Jimison, Williams*

3 ABSENT: *Brents, Giffin, Smith*

Proposal No. 124, 1995, as amended, was retitled SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1995 and reads as follows:

SOLID WASTE COLLECTION SPECIAL SERVICE FISCAL ORDINANCE NO. 2, 1995

A SOLID WASTE COLLECTION SPECIAL SERVICE FISCAL ORDINANCE amending the SOLID WASTE SPECIAL SERVICE DISTRICT Annual Budget for 1995 (City-County Fiscal Ordinance No. 2, 1994) appropriating an additional Seven Hundred Sixteen Thousand Seven Hundred Ninety-one Dollars (\$716,791) in the Solid Waste Collection Fund for purposes of contracting with the Department of Public Safety for the operation on the Animal Control Division starting July 1, 1995 and reducing the unappropriated and unencumbered balance in the Solid Waste Collection Fund.

BE IT ORDAINED BY THE SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the SOLID WASTE SPECIAL SERVICE DISTRICT Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of allowing the Department of Public Works, Contract Compliance Division, to contract with the Department of Public Safety, Animal Control Division, for the operation of the animal control shelter operations starting July 1, 1995.

SECTION 2. The sum of Seven Hundred Sixteen Thousand Seven Hundred Ninety-one Dollars (\$716,791) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>SOLID WASTE COLLECTION FUND</u>
<u>CONTRACT COMPLIANCE DIVISION</u>	
3. Other Services and Charges	\$716,791
TOTAL INCREASE	\$716,791

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>SOLID WASTE COLLECTION FUND</u>
Unappropriated and Unencumbered	
Solid Waste Collection Fund	\$716,791
TOTAL REDUCTION	\$716,791

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NOS. 487, 488, and 528, 1995. PROPOSAL NO. 487, 1995. The proposal is an appropriation of \$7,754 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a federal grant. PROPOSAL NO. 488, 1995. The proposal is an appropriation of \$89,957 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a Family and Social Services Administration grant. PROPOSAL NO. 528, 1995. The proposal is an appropriation of \$15,812 for the County Sheriff to pay overtime to officers assigned to the FBI Task Force Program financed by a FBI grant. Councillor Dowden asked for consent to postpone Proposal Nos. 487, 488, and 528, 1995 until September 25, 1995. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 231, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 231, 1995 on August 29, 1995. The proposal changes building permit requirements requested by the Federal Emergency Management Administration relative to Floodway areas; and changes terms from one year to two years for (1) listing of general contractors; (2) licensure of craft contractors; and (3) registration of plumbers. By a 4-1 vote the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor West moved, seconded by Councillor Hinkle, for adoption. Proposal No. 231, 1995, as amended, was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Rhodes, Schneider, SerVaas, Shambaugh, Short, Tilford, West, Williams*

0 NAYS:

2 NOT VOTING: *Golc, O'Dell*

3 ABSENT: *Brents, Giffin, Smith*

Proposal No. 231, 1995, as amended, was retitled GENERAL ORDINANCE NO. 132, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 132, 1995

A GENERAL ORDINANCE recodifying and amending Chapter 8 of the Code of Indianapolis and Marion County and Chapter 536 and 875 of the Revised Code of the Consolidated City and County, regulating construction and building practices and licensing.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Revised Code of the Consolidated City and County be, and is hereby, amended to add a new Article I (which is a revision and recodification of Articles I and II of Chapter 8 of the Code of Indianapolis and Marion County) in Chapter 536 (by deleting the stricken-through text and inserting the underlined text) to read as follows:

ARTICLE I. GENERAL PROVISIONS

Sec. ~~8-1~~ 536-101. Title.

This chapter and all matter included herein by reference shall comprise and be known as the "Building Standards and Procedures of the Consolidated City of Indianapolis."

Sec. ~~8-2~~ 536-102. Chapter remedial; purpose.

This chapter is hereby declared to be remedial and shall be construed in such a manner as to effectuate its purpose, which is to protect the safety, health and general welfare of the citizens of the Consolidated City of Indianapolis.

Sec. ~~8-3~~ 536-103. Severability.

If for any reason any article, division, section, subsection, sentence or phrase of this chapter or the application thereof to any person or circumstance is declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this chapter.

Sec. 536-111. Definitions.

Unless otherwise clearly indicated by the context the terms defined in this section shall have the specified meanings when used in this Chapter and Chapter 875:

~~Sec. 8-5.~~

- (1) ~~Building equipment defined.~~ ~~As used herein the phrase "building equipment"~~ means any machine, device, apparatus or material located in or connected directly to a new or existing structure which is used by an occupant to supply or distribute water, remove wastes, supply or transmit electricity, supply or distribute fuel, create conditions of heat or of cold or accomplish the movement of air.

~~Sec. 8-6.~~

- (2) ~~Building standards and procedures defined.~~ ~~As used herein the phrase "building standards and procedures"~~ means regulations, standards or requirements relative to either construction activity or the condition of existing structures or building equipment established by or under federal law, state law or city ordinances. Building standards and procedures shall specifically include rules promulgated by the ~~fire prevention and building safety commission~~ Indiana Department of Fire and Building Services and the substantive and procedural provisions of this chapter.

~~Sec. 8-7.~~

- (3) ~~Construction activity defined.~~ ~~As used herein the phrase "construction activity"~~ means the erection, construction, placement, repair, alteration, conversion, removal, demolition, maintenance, moving, razing or remodeling of any new or existing structure or any part thereof; or the construction, installation, extension repair, alteration, conversion, removal or maintenance of building equipment; provided, however, the phrase "construction activity" shall not include the construction, alteration, repair or maintenance of airplanes, boats, railroad rolling stock or motor vehicles; the manufacture or shop repair of building equipment; the installation, alteration, maintenance or repair of water supply lines from a public utility to a structure; [the installation, alteration, maintenance or repair of gas supply lines from a public utility to a structure;] the construction, installation, alteration, repair or maintenance of apparatus and equipment used by telegraph companies, [electrical utility and telephone companies] in the direct provision of services to the public; or the installation, alteration, maintenance or repair by an, electrical utility of a system distributing electrical power to service equipment supplying power to factory constructed dwellings located in a mobile home park.

~~Sec. 8-8.~~

- (4) ~~Cooling system defined.~~ ~~As used herein the phrase "cooling system"~~ means a system which utilizes a source of energy to accomplish the cooling (not below a constant temperature of sixty (60) degrees Fahrenheit) of more than one partitioned space in a structure or to accomplish the cooling of all or part of a structure by distribution of air through ductwork extending more than twelve (12) inches from the appliance collars, or distribution of liquid or vapor through on-site piping.

~~Sec. 8-9.~~

- (5) *Electrical power distribution system defined.* ~~As used herein the phrase "electrical power distribution system"~~ means a system for the distribution of electrical current both within and on the exterior of a structure, from an electrical power source to receptacles or equipment which uses electricity; provided, however, that class 2 and class 3 circuits (as defined by the National Electrical Code) shall not be considered part of an electrical power distribution system for purposes of this definition.

~~Sec. 8 10.~~

- (6) *Heating system defined.* ~~As used herein the phrase "heating system"~~ means a system which utilizes a source of energy, including but not limited to electricity, fossil fuels, geothermal, solar and wind, to accomplish the warming of more than one partitioned space in a structure or to accomplish the warming of all or part of a structure by distribution of air through ductwork extending more than twelve (12) inches from the appliance collars, or distribution of liquid or vapor through on-site piping; provided, however, that a structural design which utilizes largely natural means to cause flow of thermal energy from the sun to accomplish warming of all or part of a structure shall not be considered a heating system for purposes of this definition.

~~Sec. 8 11.~~

- (7) *One- or two-family residential structure defined.* ~~As used herein the phrase "one- or two-family residential structure"~~ shall mean a one-family dwelling structure, a two-family dwelling structure or any accessory structure appurtenant to either a one-family dwelling structure or two-family dwelling structure.

~~Sec. 8 12.~~

- (8) *Ordinary maintenance and repair defined.* ~~As used herein the phrase "ordinary maintenance and repair"~~ means construction activity commonly accomplished in or on an existing structure or existing building equipment for the purpose of preventing deterioration or performance deficiencies, maintaining appearance, or securing the original level of performance. Preventing deterioration or deficient performance shall include such activities as caulking windows, painting, pointing bricks, oiling machinery and replacing filters. Maintaining appearance shall include such activities as sandblasting masonry and cleaning equipment. Securing the original level of performance shall include such activities as replacing broken glass, patching a roof, disassembling and reassembling a piece of building equipment, welding a broken part and replacing a component of a heating system (but not a furnace) with an identical component. Ordinary maintenance and repair shall not include any construction activity which alters the prior or initial capacity, performance specifications, type of required energy or functional features of an existing structure or building equipment.

~~Sec. 8 13.~~

- (9) *Person defined.* ~~As used herein the word "person"~~ means an individual human being.

~~Sec. 8 14.~~

- (10) *Refrigeration equipment defined.* ~~As used herein the phrase "refrigeration equipment"~~ means equipment which utilizes a source of energy to accomplish the cooling of a space or materials to a constant temperature below sixty (60) degrees Fahrenheit, typically for such purposes as food storage, mechanical fabrication, or industrial processing; provided, however, that plug-in electrical appliances such as freezers or icemakers that do not require more than twelve (12) amperes of current at a nominal one hundred fifteen (115) volts shall not be considered refrigeration equipment for purposes of this definition.

~~Sec. 8 15.~~

- (11) *Service equipment defined.* ~~As used herein the phrase "service equipment"~~ means the necessary equipment, usually consisting of a circuit breaker or switch and fuses and their accessories, located near the point of entrance of electrical supply conductors to a structure or an otherwise defined area, intended to constitute the main control and means of cutoff of the electrical supply.

~~Sec. 8 16.~~

(12) Space cooling equipment defined. ~~As used herein the phrase "space cooling equipment"~~ means equipment which utilizes a source of energy to accomplish the cooling (not below a constant temperature of sixty (60) degrees Fahrenheit) of an unpartitioned space within a structure in which the equipment is located without the use of ductwork for the distribution of air extending more than twelve (12) inches beyond the appliance collars or the use of on-site piping for the distribution of liquid or vapor; provided, however, that plug-in electrical appliances such as window air conditioners that do not require more than twelve (12) amperes of current at a nominal one hundred fifteen (115) volts shall not be considered space cooling equipment for purposes of this definition.

~~Sec. 8-17.~~

(13) Space heating equipment defined. ~~As used herein the phrase "space heating equipment"~~ means equipment which utilizes a source of energy, including but not limited to electricity, fossil fuels, geothermal, solar and wind, to accomplish the warming of an unpartitioned space within a structure in which the equipment is located without the use of air distribution ductwork which extends more than twelve (12) inches beyond the appliance collars or the use of on-site piping for the distribution of liquid or vapor; provided, however, that the following shall not be considered space heating equipment for purposes of this definition:

- a. Plug-in electrical appliances such as freestanding room heaters that do not require more than twelve (12) amperes of current at a nominal one hundred fifteen (115) volts;
- b. Self-contained fireplaces; and
- c. A structural design which utilizes largely natural means to cause flow of thermal energy from the sun to accomplish warming of all or part of a structure.

~~Sec. 8-18.~~

(14) Structure defined. ~~As used herein the word "structure"~~ means that which is built or constructed, such as an edifice or building of any kind, or any piece of work artificially built up or composed of parts formed together in some definite manner, or any part thereof. The word "structure" shall specifically include signs, grandstands, and air-supported structures. The word "structure" shall not include improvements such as public roadways or bridges.

~~Sec. 8-19. Reserved.~~

~~Sec. 8-20 536-121.~~ Administration of building code.

The administrator, ~~division of the neighborhood and~~ development services ~~division~~, department of metropolitan development, shall administer and enforce the provisions of this chapter.

~~Sec. 8-21 536-122.~~ Territorial application.

This chapter shall be applicable throughout the territorial limits of the Consolidated City of Indianapolis, State of Indiana. ~~Article IV, Division 2 of this chapter shall be applicable throughout the territorial limits of Marion County.~~

~~Sec. 8-22 536-123.~~ Subject matter application.

All construction activity shall be accomplished in compliance with the provisions of this chapter. All existing structures and existing building equipment shall be subject to the provisions of this chapter.

Sec. 536-124. Discretion to modify forms.

The administrator of the neighborhood and development services division is authorized to modify any of the forms set forth in this Chapter 536 so long as the altered form requests the same basic information. The administrator, for example, may replace questions, add reasonably related questions or explanatory material, reformat the form or combine the form with another form. The administrator may authorize the form to be completed, used or stored electronically.

SECTION 2. Sec. 536-201 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 536-201. When building permits required.

(a) Permit required: ~~No~~ Except for construction activity specified in subsections (b) and (c), no person, partnership or corporation shall engage in any construction activity in the consolidated city unless a written building permit issued by the neighborhood and development services division describing the activity has been obtained by and is in force relative to the person, partnership or corporation which is actually accomplishing, supervising accomplishment or is contractually responsible for accomplishment of the construction activity allowed by the building permit, ~~provided, however, that:~~

(b) Exemptions for one and two family dwellings: With respect to one or two family residential structures, their appurtenances, and accessory structures the permit specified in subsection (a) shall not be required for:

- ~~(1) Ordinary maintenance and repair of a structure where the work does not reduce performance or create additional health or safety risks as defined in section 8-12; or~~
- ~~(2) Installation and replacement of fixtures attached to the walls or floors such as cupboards, cabinets, shelving, railings, tracks, wall and floor coverings, and doors; or~~
- ~~(3) Installation, maintenance and repair of storm windows and other exterior windows designed and used as protection against severe weather; or~~
- (41) Replacement of exterior prime doors and windows (limited to like for like in a wall opening of the same dimensions which does not reduce the egress required by code provision existing at the time the building was constructed) so long as the if performed by a listed contractor that complies with the notice and posting requirements of files a prescribed written notification form with notifies the neighborhood and development services division (in the manner prescribed by the administrator of that division) prior to the commencement of such services and posts a completed contractor identification and certification form at the job site as required by Sec. 536-216; or additionally, a person who owns or is purchasing a one or two family residential structure on contract with intention to utilize the property for his or her own occupancy may likewise replace without permit prime doors and windows in such structure; or
- ~~(5) Exterior repair or renovation of a masonry chimney above the roof line that does not reduce the size of the flue opening; or~~
- (62) Replacement of an existing roof so long as the if performed by a listed contractor that complies with the notice and posting requirements of files a prescribed written notification form with notifies the Division of Neighborhood & Development Services division (in the manner prescribed by the administrator of that division) prior to the commencement of construction and posts a completed contractor identification and certification form at the job site as required by Sec. 536-216, and that construction does not involve:
 - a. a change in roof configuration; or
 - b. a change in type of roof covering (e.g., tile roofing replacing asphalt shingles) that would increase the dead load on the structure; or
 - c. the replacement of basic structural members that support the roof (e.g., replacement of a rafter or more than 128 square feet of decking); or
 - d. the installation of heat-applied roofing material;
 - e. a requirement for a certificate of appropriateness in a historical preservation district; or

Additionally, a person who owns or is purchasing a one or two family residential structure on contract with the intention to utilize the property for his or her own occupancy may affix without permit a layer of replacement shingles to a single layer of existing shingles provided that a layer of shingles is not removed and provided that the total shingle-roof application is

performed by the owner or contract purchaser with assistance only by non-compensated volunteers.

- (7) Gutter replacement or installation; or
- (8) Installation and replacement of exterior siding so long as the if performed by a listed contractor that complies with the notice and posting requirements of -files a prescribed written notification form with notifies the Division of Neighborhood & Development Services division (in the manner prescribed by the administrator of that division) prior to the commencement of construction and posts a completed contractor identification and certification form at the job site as required by Sec. 536-216; additionally, a person who owns or is purchasing a one or two family residential structure on contract with the intention to utilize the property for his or her own occupancy may attach without permit a layer of siding to the existing sheathing without removal of existing sheathing, provided that the total siding application is performed by the owner or contract purchaser assisted only by non-compensated volunteers; or
- (4) Ordinary maintenance and repair of a structure where the work does not reduce performance or create additional health or safety risks as defined in Sec. 8-12 536-111(8); or
- (5) Installation and replacement of fixtures attached to the walls or floors such as cupboards, cabinets, shelving, railings, tracks, wall and floor coverings, and doors; or
- (6) Installation, maintenance and repair of storm windows and other exterior windows designed and used as protection against severe weather; or
- (7) Exterior repair or renovation of a masonry chimney above the roof line that does not reduce the size of the flue opening; or
- (8) Gutter replacement or installation; or
- (9) Attachment of window awnings to exterior walls where the awnings project not more than forty-eight (48) inches from any wall; or
- (10) Installation of thermal insulation; or
- (11) Installation of additional non-load bearing walls that do not result in the creation of sleeping rooms; provided however, permits are required (except as otherwise specifically exempted by provisions of this section) for electrical, heating and cooling, or plumbing work; or
- (12) Replacement of an attic fan, bathroom exhaust fan, range hood exhaust fan or whole house fan ; or
- (13) Construction of a fence in conformance with zoning requirements and any necessary certificates of appropriateness in a historic district; or
- (14) Construction of an above ground swimming pool thirty (30) inches or less deep and fifteen (15) feet or less at its widest points; or
- (15) Construction of a deck where:
 - a. no part of the floor is more than thirty (30) inches above finished grade; and
 - b. there is compliance with the assessor notification requirement of Sec. 536-215; or
- (16) Erection of retaining walls which are not over four feet in height measured from the lowest finished grade to the top of the wall, unless the walls are supporting a surcharge ~~or used as a dike to impound flammable or combustible liquids or products that pose a health or safety risk (e.g., corrosives, oxidizers, poisons); or~~
- (17) Construction of a structure which spans one hundred twenty (120) square feet or less of base area, is less than fifteen (15) feet in height, is not placed on or attached to a permanent foundation and does not contain an electrical power distribution system, heating system, space heating equipment, cooling system, or space cooling equipment; or

- (18) Ordinary maintenance and repair of building equipment where the work does not reduce performance or create additional safety or health risks; or
 - (19) Installation of a single-phase electric circuit not exceeding sixty (60) amperes at a nominal 120/240 volts which involves the installation, modernization, replacement, service or repair of a heating system, space heating equipment, cooling system, space cooling equipment, a water heater or a food waste disposer for which a building permit has been issued; or
 - (20) Installation of household appliances such as window air conditioners, refrigerators, refrigerators with automatic icemakers, ranges, microwave ovens, clothes washers, clothes dryers, dishwashers, food waste disposers and trash compactors when such installation does not include the installation of an electrical circuit; or
 - (21) Repairs Replacement in kind ~~on parts of piping in a plumbing system involving when the replacement piping meets~~ the same performance specifications and has the same capacity including plumbing fixtures, appliances, as the piping being replaced and (but not more than twenty percent (20%) of all piping in the structure), valves, and traps is replaced; or
 - (22) Replacement of appliances, fixtures, traps and valves in a plumbing system; or
 - (2223) Replacement of a water heater with one that is identical as to venting arrangement and type of fuel or energy input; or
 - (2324) Extension of heating or cooling duct work ; or
 - (2425) Placement of a one-family factory constructed building not on a permanent foundation in a mobile home park licensed by the Indiana State Department of Health; or
 - (2526) Initial connection or reconnection of plumbing to a mobile home not placed on a permanent foundation located in a mobile home park licensed by the Indiana State Department of Health; or
 - (2627) Erection of real estate signs advertising real estate for sale or for rent, ~~provided such signs do not exceed twenty-five (25) square feet in area in conformance with the size limitations provisions of the "sign ordinance" of the zoning ordinance governing signs;~~ or
 - (2728) Connection, provision or use of temporary electrical power for on-site construction activity; ~~or,~~
- (c) Exemptions for commercial construction. With respect to ~~commercial structures other than one or two family residential structures, their appurtenances, and accessory structures,~~ permits specified in subsection (a) shall not be required for:
- (1) Ordinary maintenance and repair of a structure where the work does not reduce performance or create additional safety or health risks as defined in Sec. ~~8-12~~ 536-111(8); or
 - (2) Installation, maintenance and repair of storm windows and other exterior windows designed and used as protection against severe weather; or
 - (3) Attachment of window awnings to exterior walls where the awnings project to more than forty-eight (48) inches from any wall; or
 - (4) Painting, papering and similar finish work; or
 - (5) Installation of movable cases, counters and partitions not over sixty-nine (69) inches high; or
 - (6) Construction or installation of temporary motion picture, television and theater stage sets and scenery; or
 - (7) Installation of thermal insulation; or
 - (8) Construction of a fence in conformance with zoning requirements and any necessary certificates of appropriateness in a historic district; or

- (9) Construction of an above ground swimming pool thirty (30) inches or less deep and fifteen (15) feet or less at its widest points; or
 - (10) Construction of platforms, ~~walks and driveways~~ not more than thirty (30) inches above grade and not over any basement or story below; or
 - (11) Installation of water tanks supported directly upon grade if the capacity does not exceed five thousand (5,000) gallons and the ratio of height to diameter or width does not exceed two (2) to one (1); or
 - (12) Erection of oil derricks; or
 - (13) Erection of retaining walls which are not over four feet in height measured from the lowest finished grade to the top of the wall, unless the walls are supporting a surcharge or used as a dike to impound flammable or combustible liquids or products that pose a health or safety risk (e.g., corrosives, oxidizers, poisons); or
 - (14) Construction of a structure which spans one hundred twenty (120) square feet or less of base area, is less than fifteen (15) feet in height, is not placed on or attached to a permanent foundation and does not contain an electrical power distribution system, heating system, space heating equipment, cooling system, or space cooling equipment; or
 - (15) Erection of any sign in those categories of signs described in Sec. 8-330 (c) of this chapter; or
 - (16) Ordinary maintenance and repair of building equipment where the work does not reduce performance or create additional safety or health risks; or
 - (17) Connection, provision or use of temporary electrical power for on-site construction activity; or
 - (18) Installation of household appliances such as window air conditioners, refrigerators, refrigerators with automatic icemakers, ranges, microwave ovens, clothes washers, clothes dryers, dishwashers, food waste disposers and trash compactors in apartment buildings when such installation does not include the installation of an electrical circuit; or
 - (19) Repair Replacement in kind on parts of piping in a plumbing system involving when the replacement piping meets the same performance specifications and has the same capacity including plumbing fixtures, appliances, as the piping being replaced and (but not more than twenty percent (20%) of all the piping in an area occupied by a single tenant in the structure); valves, and traps is replaced; or
 - (20) Replacement of appliances, fixtures, traps and valves in a plumbing system; or
 - (2021) Replacement of a water heater with one that is identical as to venting arrangement and type of fuel or energy input.
- (d) Provisions in subsection (b) or (c) that exempt those engaged in certain construction activity from the obligation to secure a building permit do not affect the possible obligation to secure a certificate of appropriateness for construction either in an historic area designated by the Indianapolis Historic Preservation Commission or in the Meridian Street Preservation District designated by the Indiana Code. While a building permit may not be required, a certificate of appropriateness from the Indianapolis Historic Preservation Commission or the Meridian Street Preservation Commission may be required in such an area.
- (e) ~~With respect to construction activity which is exempted by subsection (b) from the permit required by subsection (a) only if the written notice is given by a listed contractor:~~
- (1) ~~such written notice shall be given on the forms and in the manner prescribed by the administrator of neighborhood and development services;~~
 - (2) ~~commencement of such construction activity prior to the required written notice shall subject such activity to all the provisions and penalties of this chapter applicable to construction activity conducted without a required permit;~~

- ~~(3) copies of the written notice shall be posted on the job site in the same manner required for permits issued under this chapter;~~
- ~~(4) upon receipt of the written notice, the administrator shall notify the owner or occupant, who authorized such construction activity, of the right to an inspection of such activity by the division upon request of that owner or occupant;~~
- ~~(5) the listed contractor shall notify the division of the completion of such construction activity in the same manner as required by sec. 536-301 for activity for which a permit is required; and~~
- ~~(6) the listed constructor shall advise the division if such construction activity is not completed in 150 days after such written notice was given.~~

(4) Provisions in subsection (b) or (c) that exempt those engaged in certain construction activity from obligation to secure a building permit do not affect the possible obligation to secure a floodplain development permit for construction activity in the Flood Control Districts as designated by the Flood Control Districts Zoning Ordinance, General Ordinance No. 64, 1992. While a building permit may not be required, a floodplain development permit may be required in such areas.

SECTION 3. Sec. 536-205 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 536-205. Building permits obtained by written application.

(a) Application for a building permit shall be made to the neighborhood and development services division. The application shall be made in accordance with this section, unless each and every requirement of Sec. 536-209 is met and the administrator decides to issue a building permit on the basis of that section.

(b) The application shall be in writing on a form prescribed by the neighborhood and development services and shall be supported with:

- (1) Two (2) copies of detailed plans and specifications drawn to scale which indicate in a precise manner the nature and location of all work to be accomplished pursuant to the building permit. In lieu thereof, it shall be within the discretion of the administrator of the neighborhood and development services division to accept two (2) copies of a written statement indicating the nature and location of the work to be done pursuant to the building permit where such written statement describes the work as precisely as a copy of detailed plans and specifications drawn to scale.
- (2) Two (2) copies of a plot plan drawn to scale which reflect the location of the structure in relation to existing property lines and which show streets, curbs and sidewalks and proposed changes or additions to such streets, curbs and sidewalks; provided, however, such plot plan shall not be required in the instance where all of the construction activity is to occur inside an existing structure.
- (3) An improvement location permit, issued by the neighborhood and development services division, department of metropolitan development, if required by the ordinance providing for the improvement location permit.
- (4) Written approval from the Marion County Health and Hospital Corporation for any contemplated private sewage disposal system.
- (5) Written approval from the Indiana department of fire and building services, division of plan review, if required by Indiana law or any rule of the fire prevention and building safety commission.
- (6) A drainage permit, issued by the department of public works, if required by the ordinance providing for a drainage permit.
- (7) A connection permit, issued by the department of public works, if required by the ordinance requiring a permit for connection to a sewer.

(c) In the instance where a building permit is requested for the purpose of allowing the demolition or removal of a structure, such application shall be supported with a written statement from each utility that its service to the premises has been disconnected, and with either a written statement from the record titleholder of such premises authorizing the demolition or removal or a court order or administrative order requiring the demolition or removal of the structure.

(d) In the instance where a building permit is requested for the purpose of allowing the demolition or removal of a structure which is in excess of seventy-five (75) feet in height, such application shall be supported by a certificate of insurance reflecting that the obtainer of the building permit has a public liability and property damage insurance policy naming the licensee and the Consolidated City of Indianapolis as the assured and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis in the minimum amounts of one million dollars (\$1,000,000.00) for any occurrence relative to where there is injury to or death of one or more persons and five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is property damage.

(e) In the instance where a building permit is requested for the purpose of constructing a swimming pool, such application shall include the name of the person responsible for constructing the required fence or safety pool cover.

(f) Except as provided in Sec. 536-701 or 536-702, a building permit shall be issued if:

- (1) The application and supporting information required by this section have been properly prepared and submitted; and
- (2) The application and supporting information filed in accordance with this section reflect compliance with building standards and procedures; and
- (3) ~~All fees for all permits required to complete the structure for which the permit application is submitted have been paid.~~ The fee has been paid in compliance with Article VI of this chapter; and
- (4) The person, partnership or corporation obtaining the building permit complies with the requirements of Sec. 536-202; and
- (5) The person applying for the building permit complies with the requirements of Sec. 536-202.

(g) By making payment for the building permit, the applicant and obtainer shall be deemed to represent and certify that the information contained in that permit is complete and accurate, unless the applicant or obtainer shall within ten (10) days provide in writing to the neighborhood and development services division any additions or corrections to that information.

SECTION 4. Sec. 536-209 of the Revised Code of the Consolidated City and County be, and is hereby amended (by inserting the underlined text) to read as follows:

Sec. 536-209. Permits obtained by a telephone communication.

(a) The administrator may, but is not required to, issue a permit on the basis of information received by a telephone call over a specified telephone line in the office of the neighborhood and development services division (to which may be attached a recording device to make a record of all information supplied).

(b) To receive a permit on the basis of a telephone communication, all of the following requirements must be met:

- (1) The person, partnership or corporation obtaining the permit and the person applying for the permit are eligible to obtain and apply for a building permit pursuant to Sec. 536-202, and:
 - a. Have accomplished construction activity in the consolidated city for a period of the preceding twelve (12) calendar months without a violation of building standards or procedures which caused a revocation of a building permit pursuant to Sec. 536-704; issuance of a stop-work order pursuant to Sec. 536-705; issuance of an order forbidding occupancy pursuant to Sec. 536-706; initiation of a civil action filed pursuant to Sec. 536-707; forfeiture of a licensing

bond pursuant to Sec. 536-708; or a judicially imposed fine or imprisonment pursuant to Sec. 536-709; and

b. Have over the period of the previous one hundred eighty (180) days made prompt payment of all building permit fees for permits issued under this chapter;

(2) The construction activity is being accomplished in or on an existing structure;

(3) The construction activity does not involve the demolition or removal of a structure;

(4) The construction activity does not require the issuance of a design release by the Indiana department of fire and building services, division of plan review;

(5) An improvement location permit, issued by the neighborhood and development services division, department of metropolitan development, is not required;

(6) Approval of the Marion County Health and Hospital Corporation for a private sewage disposal system is not required;

(7) The construction activity does not require a drainage permit; and

(8) The construction activity is susceptible to being accurately described without the aid of either a plot plan or detailed plans and specifications.

(c) The following information shall be supplied over the specified telephone line in order to obtain a building permit under this Sec. 536-210:

(1) The name and address of the person telephoning (applicant);

(2) The name, address and number of the contractor in whose name the requested building permit is being issued (obtainer);

(3) The address of the construction activity;

(4) A precise description of the construction activity to be accomplished;

(5) The value of the construction activity.

(d) The obtainer of the building permit shall remit fees for the permit along with a written application (as provided for in Sec. 536-205) to the neighborhood and development services division within five (5) business days following the date of the permit's issuance by check or money order made payable to the controller of the City of Indianapolis. The permit number shall be clearly marked on the face of the check or money order. Payment shall be made in the office of the neighborhood and development services division or through the United States Postal Service. If mailed, the postmark on the envelope shall be evidence of compliance with the five-day remittance requirement. If payment is not received within five (5) business days, the permit shall be voidable by order of the administrator. If a permit issued under this section is voided, no further construction activity shall be accomplished under that permit.

(e) The building permit obtained in accordance with this section shall be in full force and effect at the time a building permit number is furnished by the neighborhood and development services division over the telephone line to the applicant. Following the issuance of the building permit in accordance with this section, the neighborhood and development services division shall, as soon as conveniently possible after the payment of the permit fee, mail a copy of the building permit document to the applicant for the building permit.

(f) By making payment for the building permit, the applicant and obtainer shall be deemed to represent and certify that the information contained in that permit is complete and accurate, unless the applicant or obtainer shall within ten (10) days provide in writing to the neighborhood and development services division any additions or corrections to that information.

SECTION 5. Sec. 536-211 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 536-211. Transfer of building permits.

(a) A building permit may be transferred with the approval of the administrator of the neighborhood and development services division to a person, partnership or corporation which would be eligible under Sec. 536-202 to obtain such building permit in the first instance (hereinafter called "transferee"), after both the payment of a fee specified in Sec. 536-610 and the execution and filing of a form furnished by the neighborhood and development services division. Such transfer form shall contain, in substance, the following certifications, release and agreement:

- (1) The person who ~~applied for~~ obtained the original building permit or a person ~~who meets the requirements of section 536-302 for the execution and filing of a modified certificate of completion and compliance~~ is employed by and authorized to act for the obtainer (hereinafter called "transferor") shall:
 - a. Certify under penalties for perjury that such person is familiar with construction activity accomplished pursuant to the building permit; such person is familiar with the building standards and procedures applicable to the construction activity; and to the best of such person's knowledge, information and belief the construction activity, to the extent performed, is in conformity with all building standards and procedures; and
 - b. Sign a statement releasing all rights and privileges secured under the building permit to the transferee.
- (2) The transferee shall:
 - a. Certify that the transferee is familiar with the information contained in the original building permit application, the detailed plans and specifications, the plot plan and any other documents filed in support of the application for the original building permit; and
 - b. Certify that the transferee is familiar with the present condition of the premises on which construction activity is to be accomplished pursuant to the building permit; and
 - c. Agree to adopt and be bound by the information contained in the original application for the building permit, the detailed plans and specifications, the plot plan and other documents supporting the original building permit application; or in the alternative, agree to be bound by such application plans and documents modified by plan amendments submitted to the neighborhood and development services division for approval.

(b) The transferee shall assume the responsibilities and obligations of and shall comply with the same procedures required of the transferor (including, but not being limited to the requirement of Sec. 536-301 that a certificate of completion and compliance be executed and filed and the requirement of Secs. 536-402 and 536-403 that further construction activity not be accomplished without notice of and opportunity for inspection at certain stages) and shall be subject to any written orders issued by the administrator or his authorized representative.

SECTION 6. Sec. 536-213 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 536-213. Expiration of building permits by operation of law for work requiring a building permit.

(a) ~~If the construction activity for which a building permit has been issued, other than activity involving the removal of all or part of a structure,~~ has not been commenced within one hundred fifty (150) days from the date of its issuance of the building permit, the permit shall expire by operation of law and shall no longer be of any force or effect; provided, however, the administrator of the neighborhood and development services division may, for good cause shown in writing, extend the validity of any such permit for an additional period which is reasonable under the circumstances, but in no event shall the continuance exceed a period of sixty (60) days. Such extension shall be confirmed in writing. If the construction activity has been commenced but only partially completed, and thereafter substantially no construction activity occurs on the construction site over a period of six (6) months, the permit shall expire by operation of law and no longer be of any force or effect; provided, however, the administrator may, for good cause shown in writing, extend the validity of any such permit for an additional period which is reasonable under the circumstances to allow reinitiation of construction activity.

(b) If construction activity involving removal of a structure or part of a structure has not been completed within the following time periods, the building permit shall expire by operation of law and shall no longer be of any force or effect:

- (1) Removal of all or part of a one or two family residential structure - thirty (30) days after issuance
- (2) Removal of all or part of a structure other than one or two family residential structure -sixty (60) days after issuance

Provided, however, the administrator of the neighborhood and development services division may, for good cause shown in writing, extend the validity of any such permit for an additional period that is reasonable under the circumstances up to forty five (45) days in length. Such extension shall be confirmed in writing.

SECTION 7. The Revised Code of the Consolidated City and County be, and is hereby amended by adding a new Sec. 536-216 to read as follows:

Sec. 536-216. Posting of contractor notification form at work site, notification to division and owners.

(a) Prior to the commencement of construction activity for which a listed contractor is not required to obtain a building permit because of an exemption provided in paragraphs (1), (2), or (3) of subsection (b) of Sec. 536-201, the listed contractor shall complete the notification form prescribed in subsection (b), place the form on the site as specified in subsection (c) and notify the neighborhood and development services division as specified in subsection (d).

(b) The form shall be made of a reasonably durable material and shall contain the following information.

- (1) Listing number assigned to the contractor by the city
- (2) Name of contractor
- (3) A description of the construction activity which is exempt from the building permit requirements
- (4) Address of the construction activity
- (5) Date when the construction activity will be initiated
- (6) Certification by the contractor or an employee of the contractor that the contractor is listed, has a current bond and insurance, and is the contractor doing the construction activity at the job site
- (7) Verification number, if any, provided by the neighborhood and development services division to the contractor when notice of the construction activity was given to the division by the contractor
- (8) Signature of the owner (or a responsible person acting for the owner) indicating that the owner is aware that the neighborhood and development services division will make an inspection of the construction activity at the request of the owner

The listing number shall be at least one (1) inch in height. The form shall include the license/listing seal of the City of Indianapolis, a notice indicating how the listing of the contractor can be verified by communicating with the neighborhood and development services division and how the owner can secure an inspection of the construction activity by the neighborhood and development services division. The administrator of the neighborhood and development services division shall specify the size, format, text and color of the form.

(c) The listed contractor shall place a copy of the completed contractor notification form at a prominent location at the work site where it can be easily seen and would be noticed, provided, however, this provision shall not require the contractor to place the form at a location objectionable to the owner. It is not necessary to post the notification form as required by subsection (a) if a building permit has been secured and is posted at the job site in accordance with Sec. 536-210 of this chapter.

(d) The listed contractor shall deliver to the neighborhood and development services division a copy of the notification form specified in subsection (b). If prior to commencement of the construction activity the copy has not been delivered, the listed contractor shall notify the division by phone, followed by prompt delivery of a copy of the form to the division.

(e) Upon receipt of the filing required by subsection (d) the neighborhood and development services division shall mail notice to the owner of the owner's right to request inspection of the construction activity.

SECTION 8. Article III of Chapter 536 of the Revised Code of the Consolidated City and County be, and is hereby, amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

ARTICLE III. CERTIFICATE OF COMPLETION AND COMPLIANCE

Sec. 536-301. Filing of certificate of completion and compliance.

Within ten (10) days after completion of the construction activity for which a building permit has been issued pursuant to the provisions of this chapter and prior to the occupancy or use of the structure, ~~the person who applied for the building permit~~ obtainer of the building permit (or an employee of the obtainer who is authorized to act for the obtainer) for such construction activity shall execute and file a certificate of completion and compliance with the neighborhood and development services division. ~~If a master permit was obtained for the structure all licensed subcontractors who worked on the structure shall also execute the certificate of completion.~~ Such certificate shall be in the following form:

CERTIFICATE OF COMPLETION AND COMPLIANCE

Address of premises on which construction activity was accomplished:

Permit number/~~notification number~~: _____

The undersigned person(s) hereby certifies/~~certify~~ under the penalties for perjury that:

1. I ~~applied for~~ obtained the above referenced building permit ~~or was a licensed subcontractor, who performed work on the structure~~ or am an employee of the obtainer, and

2. I am familiar with the construction activity accomplished pursuant to that building permit, and

3. I know such construction activity has been completed with exceptions here noted _____, and

4. I am familiar with building standards and procedures applicable to such construction activity, and

5. To the best of my knowledge, information and belief such construction activity has been performed in conformity with all building standards and procedures.

Date: _____ Signature: _____ Typed or printed name _____

Signature: _____ Typed or printed name _____

Signature: _____ Typed or printed name _____

Signature: _____ Typed or printed name _____

Signature: _____ Typed or printed name _____

Electrical, heating and cooling or wrecking contractor license number, plumbing contractor registration number, contractor listing number ~~and contractor's license number~~, or registered architect or registered engineer registration number: _____

If a licensed electrical contractor has properly executed and delivered or mailed an electrical craft work certificate of completion and compliance pursuant to Sec. 536-404(b)(3), he shall not be required to file the above certificate of completion and compliance.

If a registered architect or registered engineer has properly executed and delivered or mailed an architect's or engineer's certificate of completion and compliance pursuant to Sec. 536-303, he shall not be required to file the above certificate of completion and compliance.

~~Sec. 536-302. Modified certificate of completion and compliance.~~

~~If it is impossible or will impose a substantial hardship for the person who applied for the building permit to execute and file a certificate of completion and compliance, a modified certificate of completion and compliance omitting the language stating the person signing the certificate obtained the building permit will be accepted from a person having sufficient knowledge of the construction activity to allow such person to execute the certificate of completion and compliance, if:~~

~~(1) The person executing and filing the modified certificate of completion and compliance fulfills the requirements imposed by section 536-202 of an applicant for the type of building permit obtained to allow such construction activity; and~~

~~(2) An affidavit is executed and filed along with the modified certificate of completion and compliance which provides in substance that it is impossible or will impose a substantial hardship for the person who applied for the building permit to execute and file a certificate of completion and compliance.~~

~~Where a building permit is obtained for a partnership or corporation by an applicant and a certificate of completion and compliance is not filed because it would be impossible to impose a substantial hardship for the applicant to execute and file such certificate, it shall be the responsibility of the partnership or corporation to cause a modified certificate of completion and compliance to be executed and filed relative to such construction activity within ten (10) days after completion of the construction activity.~~

Sec. 536-302. Filing of certificate of completion and compliance for work done under a master permit.

Within ten (10) days after the completion of construction activity for which a master building permit has been issued pursuant to the provisions of this chapter and prior to the occupancy or use of the structure, the obtainer of the master permit (or an employee of the obtainer authorized to act for the obtainer) shall execute and file a certificate of completion for work done under a master permit with the neighborhood and development services division. All licensed or registered subcontractors who worked on the structure shall also execute the certificate. Such certificate shall be in the following form:

<p align="center">CERTIFICATE OF COMPLETION AND COMPLIANCE FOR WORK DONE UNDER A MASTER PERMIT</p>	
Address of premises on which construction activity was accomplished:	
Permit Number:	
The undersigned person(s) hereby certify under the penalties for perjury that:	
<p>1. I either:</p> <p>(a) <u>obtained the above referenced building permit (or am an employee of the obtainer), or</u></p> <p>(b) <u>am a licensed or registered subcontractor who performed work on the structure, and</u></p> <p>2. <u>I am familiar with that part of the construction activity accomplished pursuant to that building permit that is indicated below, and</u></p> <p>3. <u>I know the construction activity indicated below has been completed with exceptions noted below, and</u></p> <p>4. <u>I am familiar with building standards and procedures applicable to such construction activity, and</u></p> <p>5. <u>To the best of my knowledge, information and belief such construction activity indicated below has been performed in conformity with all building standards and procedures.</u></p>	
<u>Structural</u> <u>Listing #</u> <u>Exception to work done</u> <u>Signature</u> <u>Typed or printed name</u> <u>Date</u>	
<u>Electrical</u> <u>License #</u> <u>Exception to work done</u> <u>Signature</u> <u>Typed or printed name</u> <u>Date</u>	
<u>Heating and Cooling</u> <u>License #</u> <u>Exception to work done</u> <u>Signature</u> <u>Typed or printed name</u> <u>Date</u>	
<u>Plumbing</u> <u>Registration #</u> <u>Exception to work done</u> <u>Signature</u> <u>Typed or printed name</u> <u>Date</u>	
<u>Wrecking</u> <u>License #</u> <u>Exception to work done</u> <u>Signature</u> <u>Typed or printed name</u> <u>Date</u>	
<u>If a licensed electrical contractor has properly executed and delivered or mailed an electrical craft work certificate of completion and compliance pursuant to Sec. 536-404 (b) (3), he shall not be required to file the above certificate of completion and compliance.</u>	

Sec. 536-303. Filing of architect's or engineer's certificate of completion and compliance.

Within ten (10) days after the completion of construction activity for which a building permit was issued pursuant to this chapter and for which review and monitoring of construction activity by an architect or engineer is required by the rules of the fire prevention and building safety commission, the architect or engineer who observed the construction activity accomplished pursuant to the permit shall execute and file an architect's or engineer's certificate of completion and compliance with the neighborhood and development services division in the following form:

ARCHITECT'S AND ENGINEER'S CERTIFICATE OF COMPLETION AND COMPLIANCE

Address of construction activity: _____

Permit number: _____

The undersigned architect or engineer hereby states under penalties for perjury that:

1. I have made reasonable and periodic observation of the above mentioned construction project to determine whether the work accomplished is in accordance with the plans and specifications for this project as released by the Indiana department of fire prevention and building services safety-commission, division of plan review and whether the work accomplished is in compliance with building standards rules promulgated by the Indiana Department of Fire prevention and Building safety-commission Services and provisions of Article III, Divisions 1 and 3, of Chapter § 536 of the Revised Code of Indianapolis and Marion the Consolidated City and County, with the following exceptions hereafter noted:
2. I am familiar with such building standards and the provisions of Article III, Divisions 1 and 3, of Chapter § 536 applicable to the work accomplished; and
3. To the best of my knowledge, information and belief such work has been accomplished in conformity with such building standards promulgated by the Indiana Department of Fire prevention and Building safety-commission Services and the provisions of Article III, Divisions 1 and 3 of Chapter § 536.

Date _____ Signature: _____

SEAL Typed name: _____

Architect No.: _____

Engineer No. _____

Indiana Registration No.: _____

Address: _____

Phone number: _____

SECTION 9. Sec. 536-402 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 536-402. Notice of availability for inspection as a condition to the accomplishment of further work.

(a) Whenever a stage of construction activity is reached which is designated below, the ~~person who applied for the building permit (or if it is impossible or would impose a substantial hardship for the applicant, the person, partnership or corporation which obtained the permit)~~ shall be under a duty to give appropriate notice to the administrator of the neighborhood and development services division that the construction activity is available for inspection.

(b) Relative to the construction of, remodeling of or addition to a structure, notice of availability is required, as applicable, for:

- (1) A "foundation inspection" after poles or piers are set, trenches or basement areas excavated, any required reinforcing steel is in place, but prior to the placing of concrete; and
- (2) A "frame and masonry inspection" after the roof, masonry, all framing, firestopping and bracings are in place and all electrical wiring, pipes, chimneys and vents are complete, but prior to the interior covering of walls.

(c) Relative to the installation, modernization or replacement of building equipment (including but not limited to plumbing work for which licensure is required by the Indiana Plumbing Commission, or

work on electrical power distribution systems, heating systems, space heating equipment, cooling systems or space cooling equipment), notice of availability for a separate "rough inspection" is required, as applicable, for each of the three (3) crafts after installation, but prior to the covering or concealment thereof and before fixtures are set.

(d) Relative to demolition or removal of a structure, notice of availability for a "fill inspection" is required (in the instance when a basement or subgrade chamber exists) after demolition or removal and prior to placing fill.

(e) The administrator or the administrator's authorized representative may, relative to any construction activity, add a reasonable number of other construction stages by communicating the additional stage requirements to the person obtaining the building permit for that construction activity.

(f) Notice of availability shall be given either by telephone communication over a specified telephone line in the office of the neighborhood and development services division (to which may be attached a recording device to make a record of all information supplied), by electronic means, by hand-delivered written notice or by a letter delivered by the United States Postal Service.

SECTION 10. The Revised Code of the Consolidated City and County be, and is hereby amended by adding a new Sec. 536-405 to read as follows:

Sec. 536-405. Inspection of one and two family residential structures at request of owner.

An owner of a one or two family residential structure or a contract purchaser of such a structure who occupies the structure may request the neighborhood and development services division to inspect construction activity that has been completed within the preceeding ninety (90) days on that structure. The request may be made irrespective of whether a building permit was required, or if required, whether a permit was obtained. The neighborhood and development services division shall accomplish an inspection if reasonably practicable. The person requesting the inspection must be willing to be present during the inspection. No charge shall be made for the inspection.

SECTION 11. Sec. 536-609 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 536-~~611~~609. Reinspection fee.

(a) A reinspection fee of seventy five dollars (\$75.00) may be assessed at the discretion of the administrator (in accordance with a written policy established by the administrator) against a contractor relative to construction activity for which the contractor has obtained a building permit when an additional inspection visit to a construction address is needed because:

- (1) notice was not given that construction activity was available for inspection within the time period required by Sec. 536-402 and the construction activity is no longer available for inspection; or
- (2) notice was given pursuant to Sec. 536-402 that construction activity was available for inspection; and
 - a. the construction activity could not be found because the construction address provided on the permit application was incorrect; or
 - b. the construction activity was not accessible when then inspector attempted to make the requested inspection at the time agreed upon for the inspection (or if no time was agreed upon, between 8 am and 5 pm Monday through Friday on a day that is not a holiday); or
 - c. the construction activity was not yet sufficiently completed for an inspection to be made; or
 - d. the construction activity was covered or otherwise concealed and therefore not available for inspection; or

- (3) a notice of correction was issued to the contractor and either no response from the contractor was made within the time specified for reinspection or the contractor requested reinspection of corrections and the corrections were not properly completed; or
- (4) a certificate required by Sec. 536-301, 536-302, 536-303 or 536-404 was not filed within the time period required by those sections.

(b) A reinspection fee of seventy five dollars (\$75.00) may be assessed at the discretion of the administrator (in accordance with a written policy established by the administrator) against a contractor relative to construction activity for which a building permit is not required when an additional inspection visit to the construction address is needed because an inspection revealed a substantive violation of the building standards and procedures, resulting in the issuance of a notice of correction.

SECTION 12. The Revised Code of the Consolidated City and County be, and is hereby amended by adding new Secs. 536-615 through 536-617 to read as follows:

Sec. 536-615. Fee for permit update.

Fee for the updating of a building permit that requires submittal of additional plans, but does not cause the building permit fee to increase--\$30.00.

Sec. 536-616. Fee for renewal after expiration.

Fee for renewal of a building permit (except for a permit that has expired under Sec. 536-213 (b))--\$30.00.

Sec. 536-617. Fee for accelerated inspection option.

The administrator of the neighborhood and development services division may institute an accelerated inspection option for contractors who want to secure, quickly and within a definite time period, an inspection of construction activity for which they have secured a building permit. The administrator shall make known the hours during which the accelerated inspection option is available and the time within which an inspection will be made under the option. The fee for the accelerated inspection option shall be \$40.00 for an inspection made from 8:00 am through 5:00 pm Monday through Friday on a day that is not a holiday and \$60.00 for an inspection made any other time. The neighborhood and development services division may not require that contractors use the accelerated inspection to secure needed inspections.

SECTION 13. Sec. 536-702 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 536-702. Authority to withhold issuance of permits.

Whenever a person, partnership or corporation which is either an applicant for or obtainer of a building permit owes fees (including checks returned for insufficient funds, permit fees owed pursuant to section 536-209 or reinspection fees owed pursuant to Sec. 536-~~611~~ 609) to the neighborhood and development services division pursuant to this chapter or has failed to maintain the bond and insurance requirements of chapter 875, the administrator is authorized to withhold the issuance of subsequently requested permits until such time that the debt is satisfied or the bond and insurance requirements are satisfied.

SECTION 14. Sec. 536-708 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 536-708. Securing payment of bonds and drawing against letters of credit.

(a) Recovery of funds upon a surety bond obligation or letter of credit may be made by asserting a claim against the surety or financial institution or by initiating an action in a court of competent jurisdiction.

- (1) A claim may be asserted by providing written notice of the claim to the surety or financial institution. The written notice must be provided within one year of the date when the work occurred which gave rise to the claim or, in the instance when a fee is not paid, one year from the date when the fee was first due and owing.
- (2) Court actions may be initiated as follows:
 - a. The corporation counsel of the Consolidated City of Indianapolis may initiate an action in a court of competent jurisdiction to recover funds upon a bond obligation or a letter of credit:
 1. To declare a forfeiture on the bond or letter of credit in an amount to be determined by the court up to ten thousand dollars (\$10,000.00) whenever any listing or license issued pursuant to this chapter or chapter 875 is suspended or revoked; or
 2. To indemnify the Consolidated City of Indianapolis against any loss, damage or expense for damages to property of the city caused by an action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers in violation of requirements of state statute, city regulation or this Code, which requirements must be met to properly carry out construction activity, a land alteration (as defined in Sec. 10 1/2-9 of this Code), sewer work (as defined in Sec. 29-1 of this Code) [or driveway work (as defined in Sec. 28-139 of this Code)] while engaged in any construction activity, land alteration, sewer work or driveway work; or excavation work as defined in Sec. 28-163 of this Code;
 3. To secure payment of any fees owed to the Consolidated City of Indianapolis pursuant to this chapter, Chapter 875, Chapter 10½, Sec. 27-22 or Chapter 28, Article III, Divisions 2 and 3 of this Code which have become delinquent, after reasonable notice has been given to the contractor of the delinquency.
 - b. A person, partnership or corporation which holds a property interest in the real estate on which construction activity, a land alteration, sewer work, driveway work or excavation work has occurred may initiate an action in a court of competent jurisdiction against the bond or letter of credit for losses arising out of and expenses necessary to correct violations of requirements of state statute, city regulation or this Code which must be met to properly carry out construction activity, a land alteration, sewer work or driveway work, caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers, after written notice of the Code deficiency has been given to the contractor and after the contractor is given a reasonable opportunity to correct performance. If such a person, partnership or corporation prevails in any action brought under this section, he may also recover, as part of the judgement court costs and attorneys' fees based on actual time expended determined by the court to have been reasonably incurred by the plaintiff in connection with the commencement and prosecution of such action, unless the court in its discretion shall determine that an award of court costs and attorneys' fees would be inappropriate.
- (b) A surety shall have no obligation to pay on a bond and a financial institution shall have no obligation to disburse from a letter of credit for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or workmanship violates requirements of state statute, city regulation or this Code, which requirements must be met to properly carry out construction activity, a land alteration, sewer work, driveway work or excavation.
- (c) A surety shall have no obligation to pay on a bond and a financial institution shall have no obligation to disburse from a letter of credit unless either written notice of the claim is given to the surety or financial institution or a court action has been initiated within one year of the date when the work occurred that gave rise to the claim or in the instance when a fee is not paid, one year from the date when the fee was first due and owing. This paragraph shall not be construed to limit the time allowed by state law for the filing of court actions.
- (d) If payment is made on a bond or if a letter of credit is drawn against, such bond or letter of credit shall be deemed to not meet the requirements of Secs. ~~8-168, 8-194, 8-224 or 8-254~~ 875-109, 875-216, 875-315 or 875-415. In order to meet the requirements of Secs. ~~8-168, 8-194, 8-224 or 8-254~~ 875-109, 875-216, 875-315 or 875-415 the person, partnership or corporation shall secure a new bond or letter of

credit or replenish the bond or letter of credit so that it reflects an obligation in the full amount required for listing or licensure by Secs. ~~8-168, 8-194, 8-224 or 8-254~~ 875-109, 875-216, 875-315 or 875-415.

SECTION 15. Sec. 8-330 of the Code of Indianapolis and Marion County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 8-330. When required.

(a) No sign shall be erected by any person without first obtaining a permit therefor.

(b) No sign erected before May 22, 1970, shall be altered, rebuilt or relocated without being altered, rebuilt or relocated so as to comply with the requirements of this chapter and without a permit therefor having first been obtained.

(c) A permit shall not, however, be required in the following cases:

- (1) Real estate signs advertising real estate for sale or for rent, provided such signs do not exceed ~~twenty-five (25)~~ thirty-two (32) square feet in area;
- (2) Banners or other temporary advertising displays of less than one hundred (100) square feet in area, not erected over a public highway;
- (3) The painting of an advertising display upon any wall or window;
- (4) Advertising displays less than twelve (12) square feet in area when maintained flat against a wall of a sidewalk shed, toolhouse or contractor's office, and where not otherwise in violation of this chapter.

(d) Any sign or advertising display that shall be taken down temporarily from its fastenings or supports for repair or replacement, in any manner, shall be considered as a new sign or display, and a permit to erect such sign shall be required, as for a new installation, before such sign or advertising display shall be re-erected.

SECTION 16. Sec. 875-108 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 875-108. Inspector status.

The inspector status is met by a person who is employed full-time by the consolidated city in a position in which he makes or supervises the making of inspections to determine compliance with building standards and procedures, ~~Article II provisions of this article of this chapter,~~ the proper performance of any land alteration (as defined in Sec. 10½-9 of this Code) in accordance with state law and Chapter 10½ of this Code, the proper performance of all sewer work (as defined in Sec. 27-1 of this Code) in accordance with state law (including rules of the fire prevention and building safety commission), rules and requirements of the department of public works and Chapter 27 of this Code and the proper performance of all driveway work (as defined in Sec. 28-139 of this Code) and the proper performance of all excavation work (as defined in Sec. 28-163 of this Code) in accordance with state law and Chapter 28, Article III, Divisions 2 and 3 of this Code. Such a person shall not use his listing other than with respect to his employment by the City of Indianapolis. Listing under this section terminates by operation of law when the person is no longer employed by the consolidated city and does not meet the requirements of Sec. 875-109 and Sec. 875-110.

Sec. 875-109. Bond.

(a) Before a listing is issued by the ~~division of neighborhood and development services division~~ to any person, partnership or corporation, the administrator shall require the applicant to file a surety bond in the amount of ten thousand dollars (\$10,000.00). ~~The~~ Such a bond shall be maintained in full force and effect for a the full period of the license. ~~The bond originally filed with the application for a listing or to renew a listing shall be for a period of not less than one year.~~ The bond shall set forth the name, phone number and address of the agent representing the bonding company and shall be:

- (1) Issued by a surety authorized to do business in Indiana;

(2) Payable to the Consolidated City of Indianapolis or an unknown third party as obligee;

(3) Conditioned upon:

- a. Compliance with requirements set forth in this chapter which must be met to retain listing and licensure; and
- b. Prompt payment of all fees owed the consolidated city as set forth in this chapter, Chapter 10½, Chapter 27 and Chapter 28 of this Code; and
- c. Prompt payment to the Consolidated City of Indianapolis for any loss or expense for damages to property of the Consolidated City of Indianapolis caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers in violation of requirements of state statute, city regulation or this Code, which requirements must be met to properly carry out construction activity, a land alteration (as defined in Sec. 10½-9 of this Code), sewer work (as defined in Sec. 27-1 of this Code), driveway work (as defined in Sec. 28-139 of this Code) or excavation work (as defined in Sec. 28-163 of this Code) while engaged in any construction activity, land alteration, sewer work, driveway work or excavation work; and
- d. Prompt payment to a person, partnership or corporation which is an unknown third party obligee for any:
 1. Losses arising out of violations,
 2. Expenses necessary to correct violations, and
 3. Court costs and attorney fees allowed by the court incurred in connection with the commencement and prosecution of a court action to recover such losses and expenses for violation of [requirements of state statute, city] regulation or this Code, which requirements must be met to properly carry out construction activity, a land alteration, sewer work, driveway work, or excavation work on property of the unknown third party obligee, caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers while engaged in any construction activity, land alteration, sewer work or driveway work. However, the surety is not responsible under the bond for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or improper workmanship violates requirements of state statute, city regulation or this Code, which requirement must be met to properly carry out construction activity, a land alteration, sewer work, driveway work, or excavation work.

(b) The administrator may accept in lieu of the surety bond a properly conditioned irrevocable letter of credit in the amount of ten thousand dollars (\$10,000.00) if the city controller approves the obligor financial institution as being financially responsible and if the corporation counsel approves the letter of credit as affording the same protections to the City of Indianapolis and an unknown third party as the protections afforded by the surety bond.

(c) The obligation of the surety and financial institution relative to this bond or letter of credit is limited to ten thousand dollars (\$10,000.00). A surety or financial institution may pay on the bond or disburse from the letter of credit to pay a claim in full at any time when that claim and pending claims (reflected by written notice to the surety or financial institution) together do not exceed the unpaid penalty of the bond or the undisbursed balance of the letter of credit. If written notice is received of claims which exceed the unpaid penalty of the bond or undisbursed balance of the letter of credit, the surety or financial institution shall pro-rate payment according to the amount of such claims.

Sec. 875-110. Insurance.

Insurance requirements are met if the person, partnership or corporation secures insurance covering all construction activity accomplished by the listed contractor or under permits obtained by the listed contractor, any land alteration (as defined in Sec. 10½-9 of this Code) accomplished by the listed contractor or under a permit obtained by the listed contractor, all sewer work (as defined in Sec. 27-1 of this Code) accomplished by the listed contractor or under a permit obtained by the listed contractor, and all driveway work (as defined in Sec. 28-139 of this Code) accomplished by the listed contractor or

under a permit obtained by the listed contractor and thereafter maintains such insurance in full force and effect throughout the license period:

- (1) A public liability and property damage insurance policy assuring the listed contractor and naming the Consolidated City of Indianapolis as an "additional assured," providing for the payment of any liability imposed by law on such listed contractor or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the listed contractor in the minimum amounts of five hundred thousand dollars (\$500,000.00) for combined bodily injury and property damage coverage of five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is injury or death to one or more persons and one hundred thousand dollars (\$100,000.00) for any occurrence relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of development services.
- (2) Workmen's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the listed contractor. A certificate of such insurance shall be delivered to the administrator of the ~~division of neighborhood and~~ development services division. This provision shall not apply if the listed contractor has no employees and gives appropriate notice to the division of development services.

The insurance carrier shall give notice both to the listed contractor and the ~~division of neighborhood and~~ development services division at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

Sec. 875-111. Approval for listing.

Approval of a person, partnership or corporation as a listed contractor shall be by the board or the administrator acting on behalf of the board. Upon receipt of such approval the controller shall issue the listing. The listing shall be for a ~~one-year~~ period from January 1 of any year ending in an odd number to December 31 of the following year. No listing shall be issued by the controller to any person, partnership or corporation except as provided in this article.

Sec. 875-116. Requirement that a contractor secure building permits.

The board may, ~~pursuant to by following the procedures set forth in~~ sec. 875-115, require that a listed contractor obtain building permits for construction activity set forth in sec. 536-201 that is otherwise exempt from building permit requirements. The board shall specify the kinds of construction activity for which permits must be obtained and shall specify the duration of the requirement. The period of time for which this requirement may be imposed shall not exceed one hundred eighty (180) days.

SECTION 17. Sec. 875-203 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

ARTICLE II. LICENSING AND REGULATION OF ELECTRICAL CONTRACTORS

Sec. 875-203. Board of electrical examiners.

A board of electrical examiners (hereinafter in this article referred to as the "board"), shall consist of eight (8) members and shall be responsible for carrying out the provisions of this article relative to licensure of electrical contractors. The administrator shall be a nonvoting member of the board, ex officio. The seven (7) voting members of the board shall be appointed by the mayor for four (4) year terms in such manner that not more than two (2) terms expire on January 1st of one any year and three (3) other terms expire on January 1st of the next year. Five (5) of the seven (7) members appointed by the mayor shall be persons to whom a license has been issued in accordance with this article, and the two (2) remaining appointed members shall be persons (not licensed under this article) representing the public at large. Each of the appointed members shall be a resident of the consolidated city. Members shall not receive compensation for serving on the board. Those members appointed by the mayor shall serve at his pleasure and shall hold no other elective or appointive office in the consolidated city.

SECTION 18. Sec. 875-209 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 875-209. Written examination.

The written examination requirement of Sec. 875-208a is met by a person who demonstrates his understanding of the following subject matter areas by attaining a passing score on a written examination administered by the board relative to electrical work for which such license is required:

- (1) General knowledge of the provisions of this chapter and other relevant ordinances of the consolidated city; and
- (2) General knowledge of the rules ~~and regulations~~ of the ~~administrative building council~~, fire prevention and building safety commission and other state and federal agencies applicable in the consolidated city; and
- (3) Expert knowledge about the proper, practical and safe methods of accomplishing electrical work; and
- (4) In the event a person fails to obtain a passing score on the written examination administered by the board, re-examination shall only be allowed pursuant to the written policies and regulations promulgated by the board under Sec. 875-204.

SECTION 19. Sec. 875-214 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 875-214. Inspector status.

The inspector status requirement of Sec. 8-208(4) is met by a person who is employed full time by the ~~division of neighborhood and~~ development services division in a position in which he makes or supervises the making of inspections to determine compliance with building standards and procedures relative to electricity; ~~Article II provisions~~ or this article of this chapter. Such a person shall not use a license as an electrical contractor other than with respect to his employment by the Consolidated City of Indianapolis. Licensure under this section terminates by operation of law when the person is no longer employed by the ~~division of neighborhood and~~ development services division and does not meet the requirements of Secs. 875-216 and 875-217.

SECTION 20. Sec. 875-216 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 875-216. Bond.

(a) Before a license is issued by the ~~division of neighborhood and~~ development services division to any person, partnership or corporation, the administrator shall require the applicant to file a surety bond in the amount of ten thousand dollars (\$10,000.00). ~~The~~ Such a bond shall be maintained in full force and effect for ~~a~~ the full period of the license. The bond originally filed with the application for a license or to renew a license shall be for a period of not less than one year. The bond shall set forth the name, phone number and address of the agent representing the bonding company and shall be:

- (1) Issued by a surety authorized to do business in Indiana;
- (2) Payable to the Consolidated City of Indianapolis or an unknown third party as obligee;
- (3) Conditioned upon:
 - a. Compliance with requirements set forth in this chapter which must be met to retain licensure; and
 - b. Prompt payment of all fees owed the consolidated city as set forth in this chapter; and

- c. Prompt payment to the Consolidated City of Indianapolis for any loss or expense for damages to property of the Consolidated City of Indianapolis caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers in violation of building standards and procedures while engaged in any electrical work or any related construction activity; and
- d. Prompt payment to a person, partnership or corporation which is an unknown third party obligee for any:
 - 1. Losses arising out of violations,
 - 2. Expenses necessary to correct violations, and
 - 3. Court costs and attorney fees allowed by the court incurred in connection with the commencement and prosecution of a court action to recover such losses and expenses for violations of building standards and procedures caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers while engaged in electrical work or any related construction activity.

However, the surety is not responsible under the bond for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or workmanship violates requirements of building standards and procedures.

(b) The administrator may accept in lieu of the surety bond a properly conditioned irrevocable letter of credit in the amount of ten thousand dollars (\$10,000.00) if the city controller approves the obligor financial institution as being financially responsible and if the corporation counsel approves the letter of credit as affording the same protections to the City of Indianapolis and an unknown third party as the protections afforded by the surety bond.

(c) The obligation of the surety financial institution relative to this bond or letter of credit is limited to ten thousand dollars (\$10,000.00). A surety or financial institution may pay on the bond or disburse from the letter of credit to pay a claim in full at any time when that claim and pending claims (reflected by written notice to the surety or financial institution) together do not exceed the unpaid penalty of the bond or the undisbursed balance of the letter of credit. If written notice is received of claims which exceed the unpaid penalty of the bond or undisbursed balance of the letter of credit, the surety or financial institution shall prorate payment according to the amount of such claims.

SECTION 21. Sec. 875-217 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 875-217. Insurance.

Insurance requirements are met if the person, partnership or corporation secures insurance covering all electrical work and related construction activity accomplished by the licensee or under permits obtained by the licensee and thereafter maintains such insurance in full force and effect throughout the license period:

- (1) A public liability and property damage insurance policy assuring the licensee and naming the Consolidated City of Indianapolis as an "additional assured," and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the licensee in the minimum amounts of five hundred thousand dollars (\$500,000.00) for combined bodily injury and property damage coverage or five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is injury or death to one or more persons and one hundred thousand dollars (\$100,000.00) for any occurrence relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of development services.
- (2) Workman's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the licensee. A certificate of such insurance shall be delivered to the administrator of the ~~division of~~ neighborhood and

development services division. This provision shall not apply if the licensee has no employees and gives appropriate notice to the division of development services.

The insurance carrier shall give notice both to the licensee and the ~~division of neighborhood and~~ development services division at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

SECTION 22. Sec. 875-219 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 875-219. Board's approval for licensure.

Approval for licensure of a person, partnership or corporation as an electrical contractor shall be in writing signed by a majority of the board. The board may, however, by resolution agreed to by a majority of the board delegate to one of its officers or the administrator of the division of development services authority to approve applications for licensure or renewal of licensure on behalf of the board in instances where the applicant is a person whose eligibility for license renewal is established by Sec. 875-212(1) or the applicant is a partnership or corporation.

Upon delivery of such approval an electrical contractor's license shall be issued by the controller ~~for a period of one year.~~ The licensure period shall be from January 1 of any year ending in an even number to December 31 of the following year. (However, during a transition period from July 1, 1995 to December 31, 1997, licenses may be issued for a longer period of time than two (2) years). No license shall be issued by the controller to any person, partnership or corporation as an electrical contractor except as provided in this article.

SECTION 23. Sec. 875-222 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 875-222. Electrical work on one's own property.

A person, who both owns and ~~possesses~~ occupies a one or two family residential structure ~~and the or who desires to construct such a structure for his or her own occupancy on real estate upon which it is located~~ owned by the person personally may perform electrical work for which a license would be otherwise required by this article, without having such a license; provided that, if a building permit is required for such work, such person shall obtain

- (1) the building permit for the electrical work, and
- (2) the written approval from the board or its designee that the person has sufficient knowledge and technical skill to accomplish the work in accordance with building standards and procedures.

The board is to designate a person to perform the determinations under this section, who shall be an employee of the Department of Metropolitan Development qualified to perform inspections of electrical work. The board may appoint an alternate qualified employee for this designee.

A determination by the board's designee to disallow the nonlicensed person to accomplish the work may be appealed to the board for reconsideration.

SECTION 24. Sec. 875-308 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

ARTICLE III. LICENSING AND REGULATION OF HEATING AND COOLING CONTRACTORS

Sec. 875-308. Written examination.

The written examination requirement of Sec. 875-307(1) is met by a person who demonstrates his understanding of the following subject matter areas by attaining a passing score on a written

examination administered by the board relative to heating and cooling work for which such license of the applicable type is required:

- (1) General knowledge of the provisions of this chapter and other relevant ordinances of the consolidated city; and
- (2) General knowledge of the ~~rules and regulations of the fire prevention and building safety commission and other administrative building council~~ fire prevention and building safety commission, state and federal agencies applicable in the consolidated city; and
- (3) Expert knowledge about the proper, practical and safe methods of accomplishing heating and cooling work; and
- (4) In the event a person fails to obtain a passing score on the written examination administered by the board, re-examination shall only be allowed pursuant to the written policies and regulations promulgated by the board under Sec. 875-303.

SECTION 25. Sec. 875-313 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 875-313. Inspector status.

The inspector status requirement of Sec. 875-307(4) is met by a person who is employed full time by the ~~division of neighborhood and development services division~~ division in a position in which he makes or supervises the making of inspections to determine compliance with building standards and procedures relating to heating and cooling work, ~~Article II provisions~~ or this article of this chapter. Such a person shall not use a license as a heating and cooling contractor other than with respect to his employment by the Consolidated City of Indianapolis. Licensure under this section terminates by operation of law when the person is no longer employed by the ~~division of neighborhood and development services division~~ division and does not meet the requirements of Secs. 875-315 and 875-316.

SECTION 26. Sec. 875-315 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 875-315. Bond.

(a) Before a license is issued by the ~~division of neighborhood and development services division~~ division to any person, partnership or corporation, the administrator shall require the applicant to file a surety in the amount of five thousand dollars (\$5,000.00). ~~The~~ Such a bond shall be maintained in full force and effect ~~for a the full period of the license. The bond originally filed with the application for a license or to renew a license shall be for a period of~~ for the full period of the license. The bond originally filed with the application for a license or to renew a license shall be for a period of not less than one year. The bond shall set forth the name, phone number and address of the agent representing the bonding company and shall be:

- (1) Issued by a surety authorized to do business in Indiana;
- (2) Payable to the Consolidated City of Indianapolis or an unknown third party as obligee;
- (3) Conditioned upon:
 - a. Compliance with requirements set forth in this chapter which must be met to retain licensure; and
 - b. Prompt payment of all fees owed the consolidated city as set forth in this chapter; and
 - c. Prompt payment to the Consolidated City of Indianapolis for any loss or expense for damages to property of the Consolidated City of Indianapolis caused by any action, of the contractor, his agent, employees, principals, subcontractors, materialmen or suppliers in violation of building standards and procedures while engaged in any heating and cooling work or any related construction activity; and

d. Prompt payment to a person, partnership or corporation which is an unknown third party obligee for any:

1. Losses arising out of violations,
2. Expenses necessary to correct violations, and
3. Court costs and attorney fees allowed by the court incurred in connection with the commencement and prosecution of a court action to recover such losses and expenses for violations of building standards and procedures caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers while engaged in heating and cooling work or any related construction activity.

However, the surety is not responsible under the bond for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or workmanship violates requirements of building standards and procedures.

(b) The administrator may accept in lieu of the surety bond a properly conditioned irrevocable letter of credit in the amount of five thousand dollars (\$5,000.00) if the city controller approves the obligor financial institution as being financially responsible and if the corporation counsel approves the letter of credit as affording the same protections to the City of Indianapolis and an unknown third party as the protections afforded by the surety bond.

(c) The obligation of the surety and financial institution relative to this bond or letter of credit is limited to five thousand dollars (\$5,000.00). A surety or financial institution may pay on the bond or disburse from the letter of credit to pay a claim in full at any time when that claim and pending claims (reflected by written notice to the surety or financial institution) together do not exceed the unpaid penalty of the bond or the undisbursed balance of the letter of credit. If written notice is received of claims which exceed the unpaid penalty of the bond or undisbursed balance of the letter of credit, the surety or financial institution shall pro-rate payment according to the amount of such claims.

Sec. 875-316. Insurance.

The insurance requirements are met if the person, partnership or corporation secures insurance covering all heating and cooling work and any related construction activity accomplished by the licensee or under permits obtained by the licensee and thereafter maintains such insurance in full force and effect throughout the license period:

- (1) A public liability and property damage insurance policy assuring the licensee and naming the Consolidated City of Indianapolis as an "additional assured," and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the licensee in the minimum amounts of five hundred thousand dollars (\$500,000.00) for combined bodily injury and property damage coverage or five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is injury or death to one or more persons and one hundred thousand dollars (\$100,000.00) for any occurrence relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of development services.
- (2) Workman's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the licensee. A certificate of such insurance shall be delivered to the administrator of the ~~division of~~ neighborhood and development services division. This provision shall not apply if the licensee has no employees and gives appropriate notice to the division of development services.

The insurance carrier shall give notice both to the licensee and the ~~division of~~ neighborhood and development services division at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

Sec. 875-317. Types of licenses.

There shall be twelve (12) types of licenses approved by the board pursuant to this article. However, after January 1, 1996, there shall only be seven (7) types of licenses. Heating and cooling work may be accomplished under these license types as follows:

- (1) The Air Conditioning "A" (unrestricted)" license authorizes the holder thereof to perform all of the kinds of heating and cooling work without limitation.
- (2) The "light commercial/residential" license authorizes the holder thereof to perform work of the following kinds:
 - a. Installation, modernization, replacement, service or repair of cooling systems or space cooling equipment, which system or equipment has a rated output not in excess of six hundred thousand (600,000) Btuh and does not include preassembled air-conditioning units which exceed a rating of fifty (50) tons under ARI standards; and
 - b. Installation, modernization, replacement, service or repair of heating systems or space heating equipment, which system or equipment has a rated input not in excess of four million (4,000,000) Btuh and which does not utilize a water boiler in which the rated pressure exceeds thirty (30) pounds per square inch.
- (3) The "residential" license authorizes the holder thereof to perform work of the following kinds in one- or two-family residential structures, commercial buildings of not more than one story and apartment buildings:
 - a. Installation, modernization, replacement, service or repair of cooling systems or space cooling equipment, which system or equipment is a single phase and has a rated output not in excess of sixty thousand (60,000) Btuh; and
 - b. Installation, modernization, replacement, service or repair of heating system or space heating equipment, which system or equipment has a rated input of less than two million (2,000,000) Btuh and which does not utilize a boiler in which the rated pressure exceeds fifteen (15) pounds per square inch or steam boiler in which the rated pressure exceeds thirty (30) pounds per square inch.
- (4) The "Air Conditioning "B"" license authorizes the holder thereof to install, maintain, repair, fabricate, alter, or extend central air conditioning, heating and ventilating, including ductwork, within a complete system limited to twenty-five tons cooling and five hundred thousand BTU heating (which does not utilize a water boiler in which the rated pressure exceeds thirty (30) pounds per square inch), and all appurtenances, apparatus, piping vessels, ducts and insulation used in connection therewith.
- (5) The "Air Conditioning "D"" license authorizes the holder thereof to install, maintain, repair, alter, or extend systems of air conditioning and heating including ventilation and any and all duct systems necessary. Systems shall be limited to single phase, five (5) ton cooling capacity, limited to 300,000 BTU/hr input heating capacity and limited to boiler pressures of 15 psig steam and 30 psig water.
- (6) The "high pressure steam" license authorizes the holder thereof to perform installation, modernization, replacement, service or repair of heating systems or space heating equipment, which system or equipment utilizes a boiler.
- (7) The "refrigeration" license authorizes the holder thereof to perform installation, modernization, replacement, service or repair of refrigeration equipment.
- (8) The "heavy commercial (unrestricted) service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "heavy commercial (unrestricted)" license may perform.
- (9) The "light commercial/residential service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "light commercial/residential" license may perform.

- (10) The "residential service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "residential" license may perform.
- (11) The "steam service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "steam" license may perform.
- (12) The "refrigeration service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "refrigeration" license may perform.

Holders of a license listed in (2) or (3) may renew such a license if the holder qualifies for renewal under Sec. 875-311, however, no initial licenses listed under (2) or (3) shall be issued after January 1, 1995.

No initial licenses of the types listed in (8), (9), (10), (11) and (12) shall be issued after January 1, 1995. Holders of a license listed in (8), (9), (10), (11) or (12) may renew such a license if the holder qualifies for renewal under Sec. 875-311, however, such license shall not be renewed for a period of time extending past January 1, 1996.

Sec. 875-318. Board's approval for licensure.

Approval for licensure of a person, partnership or corporation as a heating and cooling contractor of the appropriate type shall be in writing signed by a majority of the board. The board may, however, by resolution agreed to by a majority of the board delegate to one of its officers or the administrator of the division of development services authority to approve applications for licensure or renewal of licensure on behalf of the board in instances where the applicant is a person whose eligibility for license renewal is established by Sec. 875-311(1) or the applicant is a partnership or corporation.

Upon delivery of such approval a heating and cooling contractor's license of the appropriate type shall be issued by the controller ~~for a period of one year.~~ The licensure period shall be from January 1 of any year ending in an even number to December 31 of the following year. (However, during a transition period from July 1, 1995 to December 31, 1997, licenses may be issued for a longer period of time than two (2) years). No license shall be issued by the controller to any person, partnership or corporation as a heating and cooling contractor except as provided in this article.

SECTION 27. Sec. 875-321 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 875-321. Heating and cooling work on one's own property.

A person, who both owns and ~~possesses~~ occupies a one or two family residential structure ~~and the or who desires to construct such a structure for his or her own occupancy on real estate upon which it is located~~ owned by the person personally may perform heating and cooling work for which a license would be otherwise required by this article, without having such a license; provided that, if a building permit is required for such work, such person shall obtain

- (1) the building permit for the heating and cooling work, and
- (2) the written approval from the board or its designee that the person has sufficient knowledge and technical skill to accomplish the work in accordance with building standards and procedures.

The board is to designate a person to perform the determinations under this section, who shall be an employee of the Department of Metropolitan Development qualified to perform inspections of heating and cooling work. The board may appoint an alternate qualified employee for this designee.

A determination by the board's designee to disallow the nonlicensed person to accomplish the work under this section may be appealed to the board for reconsideration.

SECTION 28. Sec. 875-401 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

ARTICLE IV. LICENSING AND REGULATION OF WRECKING CONTRACTORS

Sec. 875-401. License required.

Licensure as a wrecking contractor of the appropriate type is required to either engage or offer to engage in the business, trade or calling of demolishing, dismantling, dismembering, razing or removing structures; provided, however, that licensure as a wrecking contractor is not required:

- (1) To wreck a one-story detached accessory structure containing less than five hundred seventy-seven (577) square feet of floor area which is located on the same premises as a one- or two-family residential structure or to wreck a structure containing less than five hundred (500) square feet of floor area; or
- (2) To wreck a one-story, one- or two-family residential structure if:
 - a. The wrecking is accomplished by the person who owns the structure; and
 - b. The person is a previous occupant of the structure; and
 - c. No part of the structure is located nearer than ten (10) feet to another structure not owned by the person accomplishing the wrecking or any street, alley or sidewalk; and
 - d. The wrecking will not create a substantial potential health or safety hazard; and
 - e. If deemed reasonably necessary by the administrator of the neighborhood and development services division, the person who will accomplish the wrecking demonstrates that the wrecking activity is covered by a public liability and property damage insurance policy, in amounts established by the administrator (but not less than fifty thousand dollars (\$50,000.00) for personal injury or death and twenty-five thousand dollars (\$25,000.00) for property damage), naming the person doing the wrecking and the Consolidated City of Indianapolis as the insured; or
- (3) To wreck a one-story, wood-frame structure that is not a residential structure if:
 - a. The wrecking is accomplished by the person who owns the structure or by permanent, full-time employees of the partnership or corporation which owns the structure; and
 - b. The person, partnership or corporation which owns the premises where the structure is located is in possession of the premises where the structure is located; and
 - c. No part of the structure is located nearer than ten (10) feet to another structure not owned by the person, partnership or corporation accomplishing the wrecking or any street, alley or sidewalk; and
 - d. The wrecking will not create a substantial potential health or safety hazard; and
 - e. If deemed reasonably necessary by the administrator of the neighborhood and development services division, the person, partnership or corporation who will accomplish the wrecking demonstrates that the wrecking activity is covered by a public liability and property damage insurance policy in amounts established by the administrator (but not less than fifty thousand dollars (\$50,000.00) for personal injury or death and twenty-five thousand dollars (\$25,000.00) for property damage), naming the person doing the wrecking and the Consolidated City of Indianapolis as the insured; or
- (4) To wreck or dismantle a structure or part of a structure if:
 - a. ~~The administrator of the neighborhood and development services division determines that the~~ structure to be demolished or dismantled is a water storage tank, gas storage tank, or other structure which has some unique characteristic requiring specialized expertise beyond that of

the typical licensed demolition contractor, or that the demolition or dismantling work involves some unique circumstance requiring such specialized expertise, and

- b. The person responsible for supervising the demolition or dismantling work demonstrates his or her familiarity with this chapter and Chapter 536 and his or her expertise and experience in demolishing or dismantling the type of structure or part of the structure to be demolished or dismantled, and
- c. The ~~applicant~~ person, partnership or corporation submits proof of bond and insurance in the amounts required for the type license normally required to demolish or dismantle the structure or part of the structure and naming the person, partnership or corporation doing the demolition or dismantling work and the Consolidated City of Indianapolis as insured, and
- d. The ~~applicant~~ person, partnership or corporation is listed as a general contractor under Article I of this chapter prior to obtaining any wrecking permits or accomplishing any demolition or dismantling work.

~~(5)~~ The determinations under this paragraphs ~~(1-4)~~ (4) are to be made by the Board of Wrecking Examiners or an employee of the Department of Metropolitan Development designated by that board as qualified to make such determination. The board may appoint an alternate qualified employee for this designee.

In determining whether to issue a permit for wrecking pursuant to paragraphs (1) through ~~(4)~~ (3) above, the administrator of the neighborhood and development services division may consult with and seek the advice of the board of wrecking examiners.

A determination by the administrator under paragraphs (1-3) or by the Board's designee under paragraph (4) not to allow the nonlicensed person to accomplish the work under this section may be appealed to the board of wrecking examiners for reconsideration.

A person not licensed under this article who is employed by a licensed wrecking contractor may, however, accomplish wrecking while working under the direction and control of a person who is a licensed wrecking contractor. The scope of activity of such nonlicensed person shall not extend beyond that allowed by the license type of the licensed wrecking contractor providing direction and control over the nonlicensed person. Such nonlicensed person shall not enter into or offer to enter into a contractual relationship with a consumer to himself engage in wrecking.

Construction activity which this article allows licensed wrecking contractors to carry out is hereafter referred to in this article as "wrecking."

SECTION 29. Sec. 875-415 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 875-415. Bond.

(a) Before a license is issued by the neighborhood and development services division to any person, partnership or corporation, the administrator of the division shall require the applicant to file a surety bond in the amount of thirty thousand dollars (\$30,000.00) in the case of a type A license, twenty thousand dollars (\$20,000.00) in the case of a type B license and ten thousand dollars (\$10,000.00) in the case of a type C license. ~~The~~ Such a bond shall be maintained in full force and effect for ~~a~~ the full period of the license. The bond originally filed with the application for a license or to renew a license shall be for a period of not less than one year. The bond shall set forth the name, phone number and address of the agent representing the bonding company and shall be:

- (1) Issued by a surety authorized to do business in Indiana;
- (2) Payable to the Consolidated City of Indianapolis or an unknown third party as obligee;
- (3) Conditioned upon:
 - a. Compliance with requirements set forth in this chapter which must be met to retain licensure;
 - and

- b. Prompt payment of all fees owed the consolidated city as set forth in this chapter; and
- c. Prompt payment to the Consolidated City of Indianapolis for any loss or expense for damages to property of the Consolidated City of Indianapolis caused by any action of the contractor, his agents or employees, principals, subcontractors, materialmen or suppliers in violation of building standards and procedures while engaged in any wrecking or any related construction activity; and
- d. Prompt payment to a person, partnership or corporation which is an unknown third party obligee for any:
 - 1. Losses arising out of violation,
 - 2. Expenses necessary to correct violations, and
 - 3. Court costs and attorney fees allowed by the court incurred in connection with the commencement and prosecution of a court action to recover such losses and expenses for violations of building standards and procedures caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers while engaged in wrecking or any related construction activity.

However, the surety is not responsible under the bond for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or workmanship violates requirements of building standards and procedures.

(b) The administrator may accept in lieu of the surety bond a properly conditioned irrevocable letter of credit in the amount of thirty thousand dollars (\$30,000.00) in the case of a type A license, twenty thousand dollars (\$20,000.00) in the case of a type B license and ten thousand dollars (\$10,000.00) in the case of a type C license if the city controller approved the obligor financial institution as being financially responsible and if the corporation counsel approves the letter of credit as affording the same protections to the City of Indianapolis and an unknown third party as the protections afforded by the surety bond.

(c) The obligation of the surety and financial institution relative to this bond or letter of credit is limited to thirty thousand dollars (\$30,000.00) in the case of a type A license, twenty thousand dollars (\$20,000.00) in the case of a type B license and ten thousand dollars (\$10,000.00) in the case of a type C license. A surety or financial institution may pay on the bond or disburse from the letter of credit to pay a claim in full at any time when that claim and pending claims (reflected by written notice to the surety or financial institution) together do not exceed the unpaid penalty of the bond or the undisbursed balance of the letter of credit. If written notice is received of claims which exceed the unpaid penalty of the bond or undisbursed balance of the letter of credit, the surety or financial institution shall pro-rate payment according to the amount of such claims.

SECTION 30. Sec. 875-416 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 875-416. Insurance.

The insurance requirements are met if the person, partnership or corporation secures insurance covering all wrecking and related construction activity accomplished by the licensee or under permits obtained by the licensee and thereafter maintains such insurance in full force and effect throughout the license period:

- (1) A public liability and property damage insurance policy assuring the licensee and naming the Consolidated City of Indianapolis as an "additional assured," and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the licensee in the minimum amounts of five hundred thousand dollars (\$500,000.00) for combined bodily injury and property damage coverage or five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is injury or death to one or more persons, and one hundred thousand dollars (\$100,000.00) for any occurrence relative to which there is damage to

property. A certificate of such policy shall be delivered to the administrator of the division of development services.

- (2) Workman's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the licensee. A certificate of such insurance shall be delivered to the administrator of the neighborhood and development services division. This provision shall not apply if the licensee has no employees and gives appropriate notice to the neighborhood and development services division.

The insurance carrier shall give notice both to the licensee and the neighborhood and development services division at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

SECTION 31. Sec. 875-418 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 875-418. Board's approval for licensure.

Approval for licensure of a person, partnership or corporation as a wrecking contractor of the appropriate type shall be in writing signed by a majority of the board of ~~contractors~~. The board may, however, by resolution agreed to by a majority of the board delegate to one of its officers or the administrator of the neighborhood and development services division authority to approve applications for licensure or renewal of licensure on behalf of the board in instances where the applicant is a person whose eligibility for license renewal is established by Sec. 875-411(1) or the applicant is a partnership or corporation.

Upon delivery of such approval a wrecking contractor's license of the appropriate type shall be issued by the controller ~~for a period of one year~~. The license period shall be from January 1 of any year ending in an even number to December 31 of the following year. (However, during a transition period from July 1, 1995 to December 31, 1997, licenses may be issued for a longer period of time than two (2) years. No license shall be issued by the controller to any person, partnership or corporation as a wrecking contractor except as provided in this article.

SECTION 32. Sec. 875-501 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

ARTICLE V. REGISTRATION OF PLUMBING CONTRACTORS

Sec. 875-501. Registration.

(a) Any person or corporation which is licensed by the Indiana Plumbing Commission as a plumbing contractor pursuant to Public Law 188 of the Acts of 1972, as amended, and which performs any work within the Consolidated City of Indianapolis which it is privileged to accomplish pursuant to such license shall register with the ~~administrator of the division of~~ neighborhood and development services division.

(b) Such registration shall be accomplished by ~~annually~~ paying a fee specified by Sec. ~~8-87 875-701~~ and by furnishing the following information on a form supplied by the ~~division of neighborhood and development services~~ division:

- (1) Name of business;
- (2) Legal status (whether sole proprietor, member of partnership or corporation);
- (3) Address of business;
- (4) The identification number of the license issued by the Indiana Plumbing Commission;
- (5) In the instance of a corporation which is a licensed plumbing contractor, the name of all corporate officers or employees who hold a plumbing contractor's license and are authorized by

the corporation to obtain building permits on behalf of the corporation for construction activity relative to which state licensure as a plumbing contractor is required.

(c) Such registration shall expire be for a two (2) year period, beginning on January 1 of any year ending in an even number and expiring on December 31st of the following year. of registration, or

(d) Such registration shall terminate during the period of registration at such ~~earlier~~ time as the person or corporation is not licensed by the Indiana Plumbing Commission as a plumbing contractor.

SECTION 33. Sec. 875-701 of the Revised Code of the Consolidated City and County be, and is hereby amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

ARTICLE VII. FEES

Sec. 875-701. Listing, registration and license fees.

- (a) ~~General contractors, annual listing fee for sole proprietors \$75.00.~~
- (b) ~~Plumbing contractors, annual registration fee for sole proprietors \$55.00.~~
- (c) ~~Electrical contractors, annual license fee:~~
 - (1) ~~Master electrical \$100.00.~~
 - (2) ~~Residential electrical \$75.00.~~
- (d) ~~Heating and cooling contractors, annual license fee:~~
 - (1) ~~Heavy commercial (unrestricted), Air Conditioning "A", light commercial/residential, Air Conditioning "B", Air Conditioning "D", steam and refrigeration licenses \$100.00.~~
 - (2) ~~Residential and all services licenses \$75.00.~~
- (e) ~~Wrecking contractors, annual license fee:~~
 - (1) ~~Type A \$125.00.~~
 - (2) ~~Type B \$100.00.~~
 - (3) ~~Type C \$75.00.~~
- (f) ~~Licensure, listing and registration fees for partnerships and corporations shall be \$100.00.~~

(a) Fee for listing a sole proprietor, partnership or corporation as a general contractor; fee for licensing a person, sole proprietor, partnership, or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor.

- (1) Listing or license--\$250.00
- (2) Renewal of listing or license when the completed application for renewal is received no later than thirty (30) days after the expiration date of the listing or license--\$200.00.
- (3) Listing or license that has a duration for a period from 366 days to 548 days--\$187.00
- (4) Listing or license that has a duration from 1 to 364 days--\$125.00.

(b) Fee for registration of state licensed plumbing contractors who are sole proprietors or for individuals within a corporation who are eligible to secure permits.

- (1) Registration--\$100.00

(2) Renewal of registration when the completed application for renewal is received no later than thirty (30) days after the expiration date of the registration--\$80.00

(3) Registration that has a duration from 365 days to 548 days--\$75.00

(4) Registration that has a duration from 1 to 364 days--\$50.00

~~(1)(c)~~ Annual fee for persons eligible to apply for permits A licensed or listed contractor shall be allowed to specify five (5) names, which includes officers, partners, ~~or~~ employees or agents of the corporation contractor who are eligible to obtain secure permits for the contractor. ~~An additional~~ Additional names may be specified, but \$40.00 shall be charged for each subsequent additional name.

~~(g)(2)~~ Plumbing registration fees for individuals within a corporation who are eligible to obtain permits--\$45.00.

~~(h)(d)~~ A person who meets the inspector status requirements stated in Sec. ~~8-167~~ 875-108, ~~8-192~~ 875-214, ~~8-222~~ 875-313 or ~~8-252~~ 875-413 is relieved of the requirement of the annual license, listing-for registration} fees.

(e) Notwithstanding what is stated in subsection (a), the following chart sets forth the applicable fee for the transitional listing of a sole proprietor, partnership or corporation as a general contractor for the period beginning no earlier than July 1, 1995 and ending December 31, 1996.

<u>When transitional listing secured</u>				
	<u>July - Sept.</u> <u>1995</u>	<u>Oct. - Dec.</u> <u>1995</u>	<u>Jan. - Mar.</u> <u>1996</u>	<u>Apr. - Dec.</u> <u>1996</u>
<u>Fees for transitional listing that expires December 31, 1996.</u>	<u>\$125.00</u>	<u>\$100.00</u>	<u>\$75.00</u>	<u>\$50.00</u>

(f) Notwithstanding what is stated in subsection (a), the following chart sets forth the applicable fee for the transitional licensing of a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor for the period beginning no earlier than July 1, 1995 and ending December 31, 1997.

<u>When transitional license secured</u>						
	<u>July - Sept.</u> <u>1995</u>	<u>Oct. - Dec.</u> <u>1995</u>	<u>Jan. - Mar.</u> <u>1996</u>	<u>Apr. - June</u> <u>1996</u>	<u>July - Sept.</u> <u>1996</u>	<u>Oct.</u> <u>1996-</u> <u>Dec. 1997</u>
<u>Fee for transitional license that expires December 31, 1997.</u>	<u>\$225.00</u>	<u>\$200.00</u>	<u>\$175.00</u>	<u>\$150.00</u>	<u>\$125.00</u>	<u>\$100.00</u>

SECTION 34. This ordinance shall be in full force and effect upon adoption and compliance with IC 35-3-4-14.

PROPOSAL NO. 477, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 477, 1995 on August 29, 1995. The proposal amends the Comprehensive Zoning Maps of Marion County by updating base maps #4, #23, #24, and to correct mapping errors on base maps #14D, #18C, #28C, and #35B. By a 6-0 vote the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Gray, for adoption. Proposal No. 477, 1995 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Black, Borst, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Tilford, West, Williams*

0 NAYS:

3 NOT VOTING: Boyd, Dowden, Short

3 ABSENT: Brents, Giffin, Smith

Proposal No. 477, 1995 was retitled GENERAL ORDINANCE NO. 133, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 133, 1995

AN ORDINANCE to amend the Code of Indianapolis and Marion County, Appendix D, Part 21, as amended, the Zoning Ordinance for Marion County, Indiana which Ordinance includes the Comprehensive Zoning Maps of Marion County, Indiana, as amended, and fixing a time when the same shall take effect.

WHEREAS, I.C. 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana Ordinances for the zoning or districting of all lands within the County for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Code of Indianapolis and Marion County, Indiana, Appendix D, part 21, The Comprehensive Zoning Maps of Marion County, Indiana, as amended, pursuant to I.C. 36-7-4, be further amended to update specifically base maps #4, #23, and #24 of said maps to include subsequent rezonings (which Comprehensive Zoning Maps, as amended, are attached hereto, incorporated herein by reference and made a part of this Ordinance); and all land within the area noted on the four sections of base map #4, the four sections of base map #23, and the four sections of base map #24 are hereby classified, divided and zoned in accordance with the zoning district classifications as designated upon said Comprehensive Zoning Maps, as amended, thereby updating said Comprehensive Zoning Maps to include various rezonings by individual legal description or map amendments adopted subsequent to Metropolitan Development Commission docket number 87-AO-2.

SECTION 2. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal any individually initiated rezoning ordinances approved by the City-County Council subsequent to April 10, 1995, and thereafter legally effective (which rezoning by individual legal description have not been mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said MAPS in a subsequent map updating amendment hereto).

SECTION 3. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal Airport Zoning Ordinance (94-AO-2, which includes the language of the former Airspace District Zoning Ordinance [62-AO-2] as amended) and the Airspace District Map adopted as a part thereof, establishing the Airspace District as a secondary zoning district of Marion County, Indiana.

SECTION 4. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal the Floodway and Floodway District Fringe zoning district boundaries, as adopted under Metropolitan Development Commission docket number 92-AO-7.

SECTION 5. The Comprehensive Zoning Maps of Marion County, Indiana, are further amended to update base maps #14D, #18C, #28C and #35B (adopted under Metropolitan Development Commission Docket Numbers 95-AO-5, 94-AO-8, 95-AO-5, and 94-AO-11 respectively), in order to correct mapping errors made at the time of adoption of these maps. Relevant prior zoning case numbers and applicable legal descriptions for the corrections are included with each map.

SECTION 6. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

PROPOSAL NO. 521, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 521, 1995 on September 5, 1995. The proposal is an appropriation of \$666,000 for Information Services Agency to pay for increased contractual services, maintenance, and telephone expenses financed by a transfer of funds within the Information Services Internal Service Fund; and a reduction in its 1995 budget of \$260,000 due to reasons associated with the Huron project. By a 4-2 vote the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Curry, for adoption. Proposal No. 521, 1995 was adopted on the following roll call vote; viz:

24 YEAS: *Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Tilford, West, Williams*

1 NAYS: *Black*

1 NOT VOTING: *Beadling*

3 ABSENT: *Brents, Giffin, Smith*

Proposal No. 521, 1995 was retitled FISCAL ORDINANCE NO. 82, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 82, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Nine Hundred Twenty-six Thousand Dollars (\$926,000) in the Information Services Internal Services Fund for purposes of the Information Services Agency and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(zz) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Information Services Agency for increased need for contractual services, maintenance and telephone expenses. The agency is also seeking a reduction in 1995 funds due to timing of the Huron project.

SECTION 2. The sum of Six Hundred Sixty Thousand Dollars (\$666,000) be, and the same is hereby, transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4, by the sum of Nine Hundred Sixty-six Thousand Dollars (\$926,000).

SECTION 3. The following increased appropriation is hereby approved:

<u>INFORMATION SERVICES AGENCY</u>	<u>INFORMATION SERVICES INTERNAL SERVICES FUND</u>
3. Other Services and Charges	<u>666,000</u>
TOTAL INCREASE	666,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>INFORMATION SERVICES AGENCY</u>	<u>INFORMATION SERVICES INTERNAL SERVICES FUND</u>
1. Personal Services	35,000
2. Supplies 60,000	
4. Capital Outlay	<u>831,000</u>
TOTAL DECREASE	926,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 560, 1995. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 560, 1995 on August 29, 1995. The proposal affirms the policy

of providing deferred compensation for county elected officials. By a 5-0 vote the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 560, 1995 was adopted on the following roll call vote; viz:

23 YEAS: Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Tilford, West, Williams
1 NAYS: Hinkle
2 NOT VOTING: Beadling, Jones
3 ABSENT: Brents, Giffin, Smith

Proposal No. 560, 1995 was retitled COUNCIL RESOLUTION NO. 61, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 61, 1995

A COUNCIL RESOLUTION affirming the policy of providing deferred compensation for county elected officials.

WHEREAS, the 1996 Budget as submitted by the County Auditor includes in Section 5.01(b)(2) a provision for deferred compensation for certain elected county officers; and

WHEREAS, the Council desires to express its position on such provision prior to committee action as the various budgets of county agencies; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council affirms the policy of providing deferred compensation for certain county elected officers as put forth in Section 5.01(b)(2) of the proposed 1996 Annual Budget, City-County Proposal No. 504, 1995.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Shawn Hanson. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:05 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 11th day of September, 1995.

September 11, 1995

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

Bert Serwaas

President

Suellen Hart

Clerk of the Council

ATTEST:

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, SEPTEMBER 25, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m. on Monday, September 25, 1995, with Councillor SerVaas presiding.

Councillor Smith led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams
1 ABSENT: Giffin

A quorum of twenty-eight members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Williams recognized the people present who are concerned about the Metro Bus matter. Councillor Short acknowledged the presence of State Senator Glenn Howard and State Representative William Crawford. Councillor Williams recognized students from Brebeuf Preparatory School. Councillor Jimison recognized the clergy who were present.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

Journal of the City-County Council

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, September 25, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

September 12, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Thursday, September 14, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 586, 1995, said hearing to be held on Monday, September 25, 1995, at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

September 13, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Monday, September 18, 1995, a copy of a LEGAL NOTICE General Ordinance No. 414, 1995.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

September 15, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

FISCAL ORDINANCE NO. 82, 1995, an appropriation of \$666,000 for Information Services Agency to pay for increased contractual services, maintenance, and telephone expenses financed by a transfer of funds within the Information Services Internal Service Fund; and a reduction in its 1995 budget of \$260,000 due to reasons associated with the Huron project

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1995 an appropriation of \$716,791 for the Department of Public Works, Contract Compliance Division, to contract with the Department of Public Safety, Animal Control Division, for the operation of the animal control shelter operations beginning July 1, 1995 financed by revenues from the Solid Waste Collection Fund

GENERAL ORDINANCE NO. 132, 1995, changes building permit requirements requested by the Federal Emergency Management Administration relative to Floodway areas; and changes terms from one year to

two years for (1) listing of general contractors; (2) licensure of craft contractors; and (3) registration of plumbers

SPECIAL RESOLUTION NO. 79, 1995 recognizes the Bible Bowl Team of Southport Heights Christian Church

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of August 28, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

The President announced that Councillor Boyd has a motion which he wishes to present at this time. Councillor Boyd read the following motion:

Mr. President:

I move that implicit in the public action of the Council on the 1996 budget, the Council commit itself to the following understandings concerning the Metro Transit System:

- that there be full backing and support of the assurances already made by Metro leadership and DCAM administration that there will be no fare increase prior to the formation of a broad based task force and the receipt of recommendations from that group,
- that the \$6 million public mass transportation allocation being made available to the City be held in the City Controller's budget, also until the task force has made its recommendations,
- that any actions concerning the restructuring of Metro be deferred pending recommendations from the task force, public hearings, and decisions by the Council

Councillor Short seconded this motion. Councillor Boyd said this motion creates a task force which will hold public hearings on the Metro Transit System. This motion passed by a unanimous voice vote.

PROPOSAL NO. 653, 1995. The proposal, sponsored by Councillor Gray, recognizes the Marian College national champion track cycling team. Councillor Gray read the resolution and presented copies of the document to members of the track cycling team who were present: Sarah Allen, Stephane Derr, Aaron Hubbell, Kirk O'Bea, Kathryn Phillips, Laura Reed, and Jeff Weaver. Copies were also presented to Marian College official who were present: Dr. Daniel Felicetti, President; Dr. Bill Woodman, Dean for Student Affairs; John Grimes, Athletic Director; Honorable Gerald Zore, Chairman of Board of Trustees; and Terry Hoffer, Cycling Team Coach. Dr. Felicetti thanked the Council for the resolution. Councillor Gray moved, seconded by Councillor West, for adoption. Proposal No. 653, 1995 was adopted by unanimous voice vote.

Proposal No. 653, 1995 was retitled SPECIAL RESOLUTION NO. 80, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 80, 1995

A SPECIAL RESOLUTION recognizing the Marian College national champion track cycling team.

WHEREAS, earlier this month the Marian College cycling team won first place in this year's Sunset Foods National Collegiate Track Cycling Championships; and

WHEREAS, the win is Marian College's first national championship title since the college was founded in 1851, ten years before the Civil War; and

WHEREAS, the competition was fierce, but the Marian College students prevailed over runner-up teams from Stanford, The University of California, the University of Washington and other top cycling schools; and

WHEREAS, four of the ten Marian College collegiate champions are only freshmen, and some of the team members are in contention to represent the United States at next summer's Olympic Games in Atlanta; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates the members of the Marian College championship track cycling team, team coach Terry Hoffer and all the students, faculty, staff and friends of Marian College who supported and encouraged these national championships.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 524, 1995. In Councillor Giffin's absence Councillor O'Dell gave the Committee report. Councillor O'Dell stated that the Parks and Recreation Committee heard Proposal No. 524, 1995 on September 21, 1995. The proposal, sponsored by Councillor McClamroch, appoints Eli Bloom to the Indianapolis Greenways Development Committee. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor O'Dell moved, seconded by Councillor McClamroch, for adoption. Proposal No. 524, 1995, as amended, was adopted by unanimous voice vote.

Proposal No. 524, 1995, as amended, was retitled COUNCIL RESOLUTION NO. 62, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 62, 1995

A COUNCIL RESOLUTION appointing Eli Bloom to the Indianapolis Greenways Development Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Greenways Development Board, the Council appoints:

Eli Bloom

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 526, 1995. Councillor O'Dell stated that the Parks and Recreation Committee heard Proposal No. 526, 1995 on September 21, 1995. The proposal, sponsored by Councillor McClamroch, appoints Jerry Papenmeir to the Indianapolis Greenways Development Committee. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor O'Dell moved, seconded by Councillor McClamroch, for adoption. Proposal No. 526, 1995, as amended, was adopted by unanimous voice vote.

Proposal No. 526, 1995, as amended, was retitled COUNCIL RESOLUTION NO. 63, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 63, 1995

A COUNCIL RESOLUTION appointing Jerry Papenmeir to the Indianapolis Greenways Development Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Greenways Development Board, the Council appoints:

Jerry Papenmeir

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 588, 1995. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 588, 1995 on September 19, 1995. The proposal, sponsored by Councillor McClamroch, approves the Mayor's appointment of Irma J. Neal as Deputy Mayor of Neighborhoods of the City of Indianapolis. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor McClamroch, for adoption. Councillor Gilmer introduced Ms. Neal. Proposal No. 588, 1995 was adopted by a unanimous voice vote.

Proposal No. 588, 1995 was retitled COUNCIL RESOLUTION NO. 64, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 64, 1995

A COUNCIL RESOLUTION approving the Mayor's appointment of Irma J. Neal as Deputy Mayor of Neighborhoods of the City of Indianapolis for a term ending December 31, 1995.

WHEREAS, pursuant to IC 36-3-3-8 and Sec. 201-4 of the "Revised Code of the Consolidated City and County, Indiana", a mayoral appointment of the Deputy Mayor of Neighborhoods of the City of Indianapolis is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Irma J. Neal to serve as a Deputy Mayor of Neighborhoods of the City of Indianapolis at his pleasure for a term ending December 31, 1995; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Irma J. Neal is approved and confirmed by the City-County Council to serve as a Deputy Mayor of Neighborhoods of the City of Indianapolis at the pleasure of the Mayor for a term ending December 31, 1995.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 615, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which is a licensure of public pay telephones"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 616, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$72,000 for the Department of Parks and Recreation, Golf Division, to pay for security fencing around the perimeter of the Coffin Golf Course financed by revenues from the Park General/Golf Fund"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 617, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Walter Blackburn to the Indianapolis Greenways Development Committee"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 618, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Katherine A. Price to the Indianapolis Greenways Development Committee"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 619, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Robert Weddle to the Indianapolis Greenways Development Committee"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 620, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$100,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to pay for the digitizing of zoning maps financed by revenues from the Metropolitan Development General Fund"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 621, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$6,974 for Superior Court, Criminal Division, Room Two, to pay court employees overtime in death penalty cases with sequestered jurors financed from County General Fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 622, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$328,000 for the Prosecuting Attorney, County Sheriff, and the County Auditor to continue the comprehensive traffic safety program financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 623, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$23,171 for the County Sheriff and County Auditor to continue the Child Abuse Intervention Program financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 624, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$47,240 for the County Sheriff and County Auditor to continue the Victim Assistance Program financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 625, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$272,850 for the County Sheriff to pay increased per diem cost and utilization of the Riverside Residential Center financed by revenues reserved for jail expansion in the County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 626, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$24,272 for Community Corrections to pay for five additional officers needed to staff Community Corrections Annex financed by revenues reserved for jail expansion in the County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 627, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$40,000 for the Forensic Services Agency to cover additional supplies and training expenditures for the Abu Dhabi police officers financed by a transfer within the agency's County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 628, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$80,000 for the Department of Public Works, Administration Division, to cover shortfalls in Personal Services financed by a transfer within the division's Consolidated County Fund"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 629, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$1,181,757 for the Department of Public Works, Contract Compliance Division, to fund additional expenses relating to the operation of the Advanced Wastewater Treatment facilities financed by transfers from the Sanitation General Fund, Flood General Fund, and the Transportation General Fund"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 630, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$1,250,000 for the Department of Public Works, Maintenance Operations Division, to fund Personal Services shortfalls financed by a transfer within the division's Maintenance Operations General Fund"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 631, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation reducing by

\$1,098,000 the budget of the Department of Public Works, Solid Waste Management Division, from the Solid Waste Disposal Fund"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 632, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Solid Waste Collection Special Service District Fiscal Ordinance which an appropriation of \$275,000 for the Department of Public Works, Solid Waste Management Division, to fund overtime for the fall leaf program financed by a transfer within the division's Solid Waste Collection Fund"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 633, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the issuance of Redevelopment District General Obligation Bonds not to exceed \$3,040,000"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 634, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the issuance of Flood Control District General Obligation Bonds not to exceed \$2,060,000"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 635, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the issuance of Sanitary District General Obligations Bonds not to exceed \$5,875,000"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 636, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the issuance of Sanitary District Refunding Bonds not to exceed \$33,500,000"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 637, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which instructs the Department of Capital Asset Management to conduct an on-street parking needs study on Indiana Avenue"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 638, 1995. Introduced by Councillor Hinkle, Giffin. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at Morris Street and Sigsbee Street (Districts 18, 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 639, 1995. Introduced by Councillor Jones. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a stop sign at 29th Street and Wheeler Street (District 10)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 640, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 9th

Street and Dequincy Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 641, 1995. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 12th Street and Rochester Avenue (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 642, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 12th Street and Sharon Avenue (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 643, 1995. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Bradbury Avenue and Walker Avenue (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 644, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Porter Street and Conaroe Street (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 645, 1995. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Naab Road and Dugan Drive (District 3)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 646, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes multi-way stops at Gateway Drive and Vinewood Avenue, and at Gateway Drive and Westhaven Drive (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 647, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Stop 11 Road and Railroad Road (District 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 648, 1995. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Lyons Avenue and Farnsworth Street (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 649, 1995. Introduced by Councillor Jimison. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Meadowlark Drive and Sheridan Avenue (District 14)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 650, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Drexel Avenue and Stratford Avenue (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 651, 1995. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Millersville Road and Olney Street (District 11)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 652, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes one-way traffic flow southbound on McCrea Street from Georgia Street to Louisiana Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 654, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes a county general fund emergency reserve account"; and the President referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Borst reported that the Economic Development Committee heard Proposal Nos. 610-614, 1995 on September 18, 1995.

PROPOSAL NO. 610, 1995. The proposal amends S.R. No. 45, 1994, as amended, by extending the expiration date for Brulin & Company, Inc. through April 30, 1996 at 2920 Dr. Andrew J. Brown Avenue (District 22). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal No. 610, 1995 was adopted on the following roll call vote; viz:

22 YEAS: Beadling, Borst, Boyd, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

0 NAYS:

6 NOT VOTING: Black, Brents, Coughenour, Jimison, Short, Williams

1 ABSENT: Giffin

Proposal No. 610, 1995 was retitled SPECIAL RESOLUTION NO. 81, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 81, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 45, 1993, as amended, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 45, 1993, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Brulin & Company, Inc. (the "Company") which Inducement Resolution set an expiration date of September 30, 1995 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of September 30, 1995, contained therein and replacing said date with the date of April 30, 1996.

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 611, 1995. The proposal amends S.R. No. 23, 1995, by extending the expiration date for El-Beulah Retirement Village, Inc. through April 30, 1996 at 7606 East 82nd Street (District 4). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Smith, for adoption. Proposal No. 611, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Short, Smith, Tilford, West*

0 NAYS:

2 NOT VOTING: *Schneider, Williams*

1 ABSENT: *Giffin*

Proposal No. 611, 1995 was retitled SPECIAL RESOLUTION NO. 82, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 82, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 23, 1995, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 23, 1995 (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by El-Beulah Retirement Village, Inc. (the "Company") which Inducement Resolution set an expiration date of September 30,

1995 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of September 30, 1995, contained therein and replacing said date with the date of April 30, 1996.

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 612, 1995. The proposal authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$19,000,000 for the Children's Museum of Indianapolis, Incorporated at 3000 North Meridian Street (District 9). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Mullin, for adoption. Proposal No. 612, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

1 ABSENT: *Giffin*

Proposal No. 612, 1995 was retitled SPECIAL ORDINANCE NO. 15, 1995, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 15, 1995

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its City of Indianapolis, Indiana Variable/Fixed Rate Demand Economic Development Revenue Bonds, Series 1995 (The Children's Museum of Indianapolis Project), in the aggregate principal amount not to exceed \$19,000,000 (the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, a representative of The Children's Museum of Indianapolis, Incorporated (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the design,

construction and equipping of certain land improvements, buildings, structures, exhibitions and furnishings, including (i) renovation of galleries and science exhibitions and program facilities, (ii) construction of a new 318 seat theater and (iii) rehabilitation and equipping of mechanical and electrical systems, structures and land improvements of the existing museum facilities, all to be owned and operated by the Company, and all to be located at 3000 North Meridian Street, Indianapolis, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, construction, renovation, installation and equipping of the Project by issuing its City of Indianapolis, Indiana Variable/Fixed Rate Demand Economic Development Revenue Bonds, Series 1995 (The Children's Museum of Indianapolis Project), in the aggregate principal amount not to exceed \$19,000,000 (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 13, 1995 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Indenture of Trust (the "Indenture") dated as of October 1, 1995 by and between the Issuer and Bank One, Indianapolis, as Trustee (the "Trustee") in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of October 1, 1995, between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Loan Agreement, Indenture, Bond Purchase Agreement among the Issuer, Company and McDonald & Company Securities, Inc. (the "Underwriter"), Preliminary Official Statement, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed Nineteen Million Dollars (\$19,000,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Financing Agreement to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Official Statement is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Official Statement is hereby authorized to certify to the Underwriter that the information in the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Official Statement.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the Underwriter at a price not less than 99% of the aggregate principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest not to exceed ten percent (10.0%) per annum. The use of a Final Official Statement substantially the same form as the Preliminary Official Statement approved herein is approved for use and distribution by the Underwriter and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 613, 1995. The proposal is an inducement resolution for Nottingham Housing Partners, Ltd. in an amount not to exceed \$19,900,000 to proceed with the acquisition, renovation and equipping of the existing 264 unit multi-family residential rental facility plus the construction of an additional 288 multi-family residential rental units located at 9300 East 21st Street (District 12). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Tilford, for adoption.

Councillor Moriarty Adams asked for consent to abstain from voting on Proposal Nos. 613 and 614, 1995 due to a conflict of interest. Consent was given.

Proposal No. 613, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

2 NOT VOTING: Gray, Moriarty Adams

1 ABSENT: Giffin

Proposal No. 613, 1995 was retitled SPECIAL RESOLUTION NO. 83, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 83, 1995

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, Nottingham Housing Partners, Ltd., an Indiana limited partnership (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, renovation and equipping of the existing two hundred sixty-four (264) unit multi-family residential facility plus the construction of an additional Two hundred eighty-eight (288) multi-family residential rental units located at 9300 East 21st Street, Indianapolis, Indiana on approximately 47 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (thirteen (13) jobs) plus the creation of a construction job payroll and the creation of business opportunities to be achieved by the acquisition, renovation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended or any successor section thereof in connection with the Project and the Indiana Housing Finance Authority;

WHEREAS, the acquisition, renovation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Nineteen Million Nine Hundred Thousand Dollars (\$19,900,000) under the Act to be privately placed or publicly offered with credit enhancement for the

acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires April 30, 1996, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, renovation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (T 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. The City-County Council recognizes that the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 614, 1995. The proposal authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$6,600,000 for Sutton Place Apartments at 9350 East 43rd Street (District 14). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borstt moved, seconded by Councillor Smith, for adoption. Proposal No. 614, 1995 was adopted on the following roll call vote; viz:

22 YEAS: *Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:

6 NOT VOTING: *Beadling, Brents, Golc, Gray, Moriarty Adams, Schneider*
1 ABSENT: *Giffin*

Proposal No. 614, 1995 was retitled SPECIAL ORDINANCE NO. 16, 1995, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 16, 1995

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its City of Indianapolis, Indiana Economic Development Revenue Bonds (Section 8 Substantial Rehabilitation Program-Sutton Place Apartments Project) Series 1995A in the aggregate principal amount not to exceed \$6,300,000 and City of Indianapolis, Indiana Economic Development Revenue Bonds (Section 8 Substantial Rehabilitation Program-Sutton Place Apartments Project) Series 1995B in the aggregate principal amount not to exceed \$300,000 (the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, a representative of Sutton Place Apartments, L.P. an Indiana limited partnership (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the acquisition, renovation and equipping of the existing three hundred sixty (360) unit multi-family residential facility located at 9350 East 43rd, Indianapolis, Indiana on approximately 35 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility, all to be owned by the Company; and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, construction, renovation, installation and equipping of the Project by issuing its City of Indianapolis, Indiana Economic Development Revenue Bonds (Section 8 Substantial Rehabilitation Program-Sutton Place Apartments Project) Series 1995A (the "Series 1995A Bonds") in the aggregate principal amount not to exceed \$6,300,000 and City of Indianapolis, Indiana Economic Development Revenue Bonds (Section 8 Substantial Rehabilitation Program-Sutton Place Apartments Project) Series 1995B (the "Series 1995B Bonds") in the aggregate principal amount not to exceed \$300,000 (collectively, the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 13, 1995 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Indenture of Trust (the "Indenture") dated as of September 1, 1995 by and between the Issuer and Bank One, Indianapolis, N.A. as Trustee (the "Trustee") in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of September 1, 1995, between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Loan Agreement, Indenture, Bond Purchase Agreement among the Issuer, Company and Stern Brothers & Co. (the "Underwriter"), Land Use Restriction Agreement, Preliminary Offering Memorandum, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed \$6,300,000 for the Series 1995A Bonds and \$300,000 for the Series 1995B Bonds for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Financing Agreement to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Offering Memorandum is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Offering Memorandum is hereby authorized to certify to the Underwriter that the information in the Preliminary Offering Memorandum specifically with respect to the "Issuer" and "No Litigation" is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Offering Memorandum.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the Underwriter at a price not less than 97% of the aggregate principal amount thereof, plus accrued interest, if any. The initial per annum interest rate on the Series 1995A Bonds shall not exceed eight percent (8%) and on the Series 1995B Bonds shall not exceed eleven percent (11%) and the per annum interest rate on the Bonds shall thereafter be set by the Remarketing Agent on each Mandatory Tender date under the Indenture which would result in the value of the Bonds being equal to 100% of their principal amount. The use of a Final Offering Memorandum substantially the same form as the Preliminary Offering Memorandum approved herein is approved for use and distribution by the Underwriter and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other

document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NOS. 655-664, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on September 22, 1995." The Council did not schedule Proposal Nos. 655-664, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 665-664, 1995 were retitled REZONING ORDINANCE NOS. 145-154, 1995 and are identified as follows:

REZONING ORDINANCE NO. 145, 1995. 95-Z-50 (Amended)
8926 SHELBY STREET (approximate address), INDIANAPOLIS.
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25.
VIDYA MILLER SATOSKAR, requests the rezoning of 1.84 acres, being in the D-A District, to the C-1 classification to provide for a family practice doctor's office.

REZONING ORDINANCE NO. 146, 1995. 95-Z-110
5901 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23.
TERRY A. BABBITT, by Michael J. Kias, requests the rezoning of 3.323 acres, being in the C-1 District, to the C-3 classification to provide for retail commercial development.

REZONING ORDINANCE NO. 147, 1995. 95-Z-117 (Amended)
4014 WEST WASHINGTON STREET (approximate address) INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 17.
JOSEPH C. and BARBARA R. KRIER, by Michael D. Keele, request the rezoning of 0.4577 acre, being in the D-5 and C-3 District, to the C-5 classification to provide for automotive-related uses.

REZONING ORDINANCE NO. 148, 1995. 95-Z-122
373 SOUTH ILLINOIS STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16.
METROPOLITAN DEVELOPMENT COMMISSION requests the rezoning of 0.10 acre, being in the C-4 District, to the CBD-2 classification to conform the zoning with the existing use and with the Regional Center Plan.

REZONING ORDINANCE NO. 149, 1995. 95-Z-133
1280 WEST THOMPSON ROAD (approximate address), INDIANAPOLIS.
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25.
K.L. PRESNELL DEVELOPMENT, INC., by Steve C. Robinson, requests the rezoning of 7.16 acres, being in the C-7(FF) District, to the I-3-S(FF) classification to provide for construction of office/warehouse buildings.

REZONING ORDINANCE NO. 150, 1995. 95-Z-136
131 and 145 EAST FALL CREEK PARKWAY SOUTH DRIVE (approximate address), INDIANAPOLIS. CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22.

CHARLES F. AGAN, LARRY J. ROONEY and PAUL W. ECKERT request the rezoning of 0.375 acre, being in the SU-7 District, to the D-8 classification to legally establish two single-family residences.

REZONING ORDINANCE NO. 151, 1995. 95-Z-137

5515 BLUFF ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25.

JOY I. PALMER, by Randal S. Anderson, requests the rezoning of 4.14 acres, being in the D-A (W-5) District, to the D-2 (W-5) classification to legally establish four single-family residential lots.

REZONING ORDINANCE NO. 152, 1995. 95-Z-141

4502 SOUTH HARDING STREET (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25.

DAVID C. HERRIMAN, by Michael J. Kias, requests the rezoning of 2.6 acres, being in the I-4-S District, to the C-7 classification to provide for commercial uses.

REZONING ORDINANCE NO. 153, 1995. 95-Z-142

3520 MANN ROAD (approximate address), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19.

MUNDY REALTY, INC, by J. Murray Clark, requests the rezoning of 1.35 acres, being in the C-1 District, to the C-4 classification to provide for retail commercial development.

REZONING ORDINANCE NO. 154, 1995. 95-Z-144

2210 WEST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25.

INDY GOLF, LLC, requests the rezoning of 16.32 acres, being in the D-A(FF)(W-1) District, to the SU-3(FF)(W-1) classification to provide for a golf course and driving range.

SPECIAL ORDERS - PUBLIC HEARING COMMITTEE OF THE WHOLE

The President stated that public testimony would be allowed on the following budget ordinances:

- Proposal No. 498, 1995 - Police Special Service District
- Proposal No. 499, 1995 - Fire Special Service District
- Proposal No. 500, 1995 - Solid Waste Collection Special Service District
- Proposal No. 501, 1995 - Revenue Bonds Debt Service Funds
- Proposal No. 502, 1995 - Marion County Office of Family And Children
- Proposal No. 503, 1995 - Metropolitan Emergency Communications Agency
- Proposal No. 504, 1995 - Combined Indianapolis and Marion County Budgets
- Proposal No. 515, 1995 - Airport Authority
- Proposal No. 516, 1995 - Capital Improvement Board
- Proposal No. 517, 1995 - Health and Hospital Corporation
- Proposal No. 518, 1995 - Indianapolis-Marion County Public Library Board
- Proposal No. 519, 1995 - Indianapolis Public Transportation Corporation

The President called for public testimony on the budgets at approximately 8:05 p.m. There being no one present to testify, the President closed the public hearing portion of the budgets. He stated that the budgets will be considered for vote after a report from the Committee chairpersons.

POLICE SPECIAL SERVICE DISTRICT

The President convened the Police Special Service District Council.

PROPOSAL NO. 498, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 498, 1995 on September 20, 1995. The proposal is the annual budget for the Police Special Service District for 1996. By a 7-0-1 vote on September 20, 1995, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Schneider, for adoption.

Councillor Moriarty Adams said that she will abstain from voting on Proposal No. 498, 1995 due to the appearance of a conflict of interest.

Proposal No. 498, 1995, as amended, was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 NOT VOTING: Moriarty Adams

1 ABSENT: Giffin

Councillors Williams, Jimison, and Dowden asked for consent to explain their votes. Consent was given. Councillor Williams said that she does not believe the Police Department is adequately staffed. She said she voted "yes" on the police budget to support all the employees in the Police Department who are overworked. Councillor Jimison stated that she agrees with Councillor Williams that there is an insufficient number of police officers. Councillor Dowden stated that he supports this budget without reservation. He believes the Police Department is doing a good job.

Proposal 498, 1995, as amended, was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 1995 and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 1995

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE creating the annual budget of the Police Special Service District of the City of Indianapolis, Indiana, for the fiscal year beginning January 1, 1996 and ending December 31, 1996, appropriating monies for the purpose of defraying the expenses and all outstanding claims and obligations of said Police District and the Police Pension Fund, fixing and establishing the annual rate of taxation and tax levy for the year 1996 for each fund for which a special tax levy is authorized, and fixing a time when this ordinance shall take effect.

BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. For the expenses of the Police Force of the City of Indianapolis for the fiscal year beginning January 1, 1996 and ending December 31, 1996, the sums of money herein set out are hereby appropriated and ordered set apart out of the Police Service District Fund for the purposes herein specified, subject to the law governing the same:

1996 ANNUAL BUDGET DEPARTMENT OF PUBLIC SAFETY POLICE DIVISION		
	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
DEPARTMENT OF PUBLIC SAFETY Police Division	POLICE SERVICE DISTRICT FUND	
1. Personal Services	58,988,961	55,451,847
2. Supplies	1,081,893	1,065,323
3. Other Services and Charges	8,470,881	12,037,315
4. Capital Outlay	1,042,720	1,029,970
5. Internal Charges	<u>3,244,222</u>	<u>3,244,222</u>
TOTAL	72,828,677	72,828,677

SECTION 2. For the expenses and obligations of the Police Pension of the City of Indianapolis, for the fiscal year beginning January 1, 1996 and ending December 31, 1996, the sums of money herein set out are hereby appropriated and ordered set apart out of the Police Pension Fund for the purposes herein specified, subject to the law governing the same:

	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
DEPARTMENT OF PUBLIC SAFETY Police Division	POLICE PENSION FUND	
1. Personal Services	25,203,910	25,203,910
2. Supplies	1,500	1,500
3. Other Services and Charges	89,605	89,605
4. Capital Outlay	500	500
5. Internal Charges	<u>0</u>	<u>0</u>
TOTAL	25,295,515	25,295,515

SECTION 3. (a) The salaries, wages, and compensation of the various officers and employees of the Police Special Service District for the ensuing year are now fixed and approved as follows: (i) for all classified personnel of the Police Special Service District in accordance with schedule set forth in the Mayor's Executive Order No. 2, 1995, and (ii) for all merit police officers in accordance with the applicable labor agreements approved by the Mayor. Such compensation shall not be increased without approval of the Council or as provided in such wage and salary classification ordinance as may from time to time be adopted for employees of the Police Special Service District.

(b) The respective amounts herein specified for personal services are hereby appropriated therefore; provided, however, that no person, official, or employee whose salary or compensation has been approved as part of the "Personal Services" appropriations in this ordinance, or any ordinance hereafter adopted, shall have any vested right to receive such amount, except as may be accrued, or otherwise provided by statute. Control as to any decrease shall be vested in the body or executive having direction over the one affected, as provided by law. Provided that, certain employees classified as "exempt" for the purposes of the Fair Labor Standards Act shall be salaried employees, and such salaries shall be paid on an annualized basis. Exempt salaried employees shall, however, be required to work a regularly scheduled 40-hour week. Provided further, that the compensation of employees classified as "non-exempt" for the purposes of the Act may fluctuate from pay period to pay period, in accordance with actual hours worked. Non-exempt employees shall also be required to work a regularly scheduled 40-hour week. Wages and hours of uniformed employees shall be determined in accordance with applicable provisions of the Fair Labor Standards Act.

SECTION 4. To defray the costs of government of the Police Special Service District in accordance with the appropriations stated in sections 1 and 2 of this ordinance, certain anticipated and estimated revenues are allocated as follows:

(a) The Police Service District Fund for 1996 shall consist of all balances as of the end of fiscal 1995 available for transfer into said fund, all miscellaneous revenues of Police General Fund, Law Enforcement Training Fund and Police Training Fund and derived from sources connected with the operation of the Police Force, including traffic fines and intergovernmental reimbursements, Police Training Fund Transfers, Court Docket Fees, portions of the receipts from the County Option Income Tax allocated to this fund, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, and all amounts received by the levy of a rate of tax for this fund on all taxable property located in the Police Special Service District by virtue of section 5 of this ordinance.

(b) The Police Pension Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, all miscellaneous revenues derived from sources connected with the operation of the Police Pension Fund, amounts allocated herein from the Supplemental Pension Trust, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, all amounts received by the levy of a rate tax for this fund on all taxable property located in the Police Special Service District by virtue of section 5 of this ordinance.

SECTION 5. There is hereby levied and assessed or confirmed as may be required by law on all real estate and improvements and all business personal property of whatever description, tangible and intangible, and chooses in action of every kind and character in the Police Special Service District of the City of Indianapolis, as assessed and returned for taxation in said District for the year 1995, payable in 1996, a tax rate of One dollar twenty-eight and eight hundredths cents (\$1.2808) for the Police Special Service District Fund on each one hundred dollars (\$100.00) valuation of such special service district taxable property, and seventeen and seventy hundredths cents (\$0.1770) for Police Pension Fund on each one hundred dollars (\$100.00) valuation of such special service district taxable property.

SECTION 6. The budget of said special service district shall be carried out with the revenues from taxation provided from the several tax levies fixed in this ordinance, and the miscellaneous receipts of said funds and with the use of portions of current balances, all as indicated on the following tables:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES POLICE SERVICE DISTRICT FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
County Option Income Tax	12,450,000	25,700,000
Other Taxes	1,525,828	3,482,436
State Distributions	0	1,000,000
ALL OTHER REVENUE		
Intergovernmental	1,252,356	611,174
Charges for Services	588,387	1,239,178
Sale and Lease of Property	78,000	78,000
Fines and Penalties	62,343	306,000
Licenses and Permits	90,000	186,500
Fees for Service	115,800	256,000
Miscellaneous	166,800	587,400
Intragovernmental	0	1,850,000
Transfers In	<u>432,398</u>	<u>2,826,004</u>
TOTAL	16,761,912	38,122,692

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES POLICE PENSION FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
COIT	2,057,500	4,115,000
Other Taxes	210,862	481,256
State Distributions	4,788,457	9,865,000
ALL OTHER REVENUE		
Miscellaneous	34,000	55,000
Trust and Agency	2,255,950	5,701,830
Intragovernmental	0	250,000
TOTAL	9,346,769	20,468,086

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
 POLICE SERVICE DISTRICT FUND
 1996 NET ASSESSED VALUATION \$2,753,492,898
 1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	3,965,196	3,965,196
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	36,680,251	36,680,251
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	36,680,251	36,680,251
6. Remaining property taxes to be collected present year	17,731,775	17,731,775
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	16,761,913	16,761,913
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	34,493,688	34,493,688
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,778,633	1,778,633
10. Total budget estimate for January 1 to December 31 of incoming year	72,828,677	72,828,677
11. Miscellaneous revenue for January 1 to December 31 of incoming year	38,122,692	38,122,692
12. Property tax to be raised from January 1 to December 31 of incoming year	35,057,082	35,266,737
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	2,129,729	2,339,384
14. Estimated December 31 cash balance, of incoming year	_____	_____
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	1.2808	1.2808
Proposed tax rate for incoming year	1.2808	1.2808

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

POLICE PENSION FUND

1996 NET ASSESSED VALUATION \$2,753,492,898

1995 BILLED NET ASSESSED VALUATION

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	1,028,242	1,028,242
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	11,758,873	11,758,873
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	11,758,873	11,758,873
6. Remaining property taxes to be collected present year	2,450,440	2,450,440
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	9,346,769	9,346,769
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	11,797,209	11,797,209
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,066,578	1,066,578
10. Total budget estimate for January 1 to December 31 of incoming year	25,295,515	25,295,515
11. Miscellaneous revenue for January 1 to December 31 of incoming year	20,468,086	20,468,086
12. Property tax to be raised from January 1 to December 31 of incoming year	4,844,709	4,873,682
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	1,083,858	1,112,831
14. Estimated December 31 cash balance, of incoming year	_____	_____
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.1770	0.1770
Proposed tax rate for incoming year	0.1770	0.1770

SECTION 7.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
Police General	72,828,677	38,122,692	35,266,737	2,753,492,898	1.2808
Police Pension	25,295,515	20,468,086	4,873,682	2,753,492,898	0.1770
Total	98,124,192	58,590,778	40,140,419		1.4578

SECTION 8. The Auditor of Marion County, be, and he is hereby ordered and directed to place the aforesaid tax levies upon the property tax duplicates; and the County Treasurer of such county, ex-officio city treasurer, be and he is hereby ordered and directed to collect the same for the Police Special Service District of the City of Indianapolis, and make due report thereof as provided by law.

SECTION 9. This ordinance shall be in full force and effect beginning January 1, 1996, after passage by the Police Special Service District Council, approval by the Mayor, and approval by the Tax Boards as required by law.

FIRE SPECIAL SERVICE DISTRICT

The President convened the Fire Special Service District Council.

PROPOSAL NO. 499, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 499, 1995 on September 20, 1995. The proposal is the annual budget for the Fire Special Service District for 1996. By an 8-0 vote on September 20, 1995, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Curry, for adoption.

Councillor Golc asked the City Controller, James Steele, Jr., if there is some progress with the unfunded pension liability issue. Mr. Steele said there has been some small strides made in the pension funding. In 1994 \$500,000 was set aside, in 1996 another \$500,000 will be set aside, and in 1998 that amount will increase.

Councillor Jimison asked if there has been any action to assure there will be enough money to fund the pensions. Mr. Steele said that the pension is funded for 1996, 1997, and about 90% funded for 1998. Discussions are ongoing with the State Legislature to increase the pension relief distribution that is made each year.

Councillor Gray said that he will abstain from voting on Proposal No. 498, 1995 due to the appearance of a conflict of interest.

Proposal No. 499, 1995, as amended, was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 NOT VOTING: Gray

1 ABSENT: Giffin

Proposal No. 499, 1995, as amended, was retitled FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1995, and reads as follows:

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1995

A FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE creating the annual budget of the Fire Special Service District of the City of Indianapolis, Indiana, for the fiscal year beginning January 1, 1996 and ending December 31, 1996, appropriating monies for the purpose of defraying the expenses and all outstanding claims and obligations of said Fire District and the Fire Pension Fund, fixing and establishing the annual rate of taxation and tax levy for the year 1996 for each fund for which a special tax levy is authorized, and fixing a time when this ordinance shall take effect.

**BE IT ORDAINED BY THE FIRE SPECIAL SERVICE DISTRICT COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. For the expenses of the Fire Force of the City of Indianapolis for the fiscal year beginning January 1, 1996, and ending December 31, 1996, the sums of money herein set out are hereby appropriated and ordered set apart out of the Fire Service District Fund for the purposes herein specified, subject to the law governing the same:

1996 ANNUAL BUDGET DEPARTMENT OF PUBLIC SAFETY FIRE DIVISION		
	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
DEPARTMENT OF PUBLIC SAFETY Fire Division	FIRE SERVICE DISTRICT FUND	
1. Personal Services	36,725,089	36,725,089
2. Supplies	1,262,372	1,262,372
3. Other Services and Charges	2,479,581	2,479,581
4. Capital Outlay	1,978,650	1,978,650
5. Internal Charges	<u>1,196,244</u>	<u>1,196,244</u>
TOTAL	43,641,936	43,641,936

SECTION 2. For the expenses and obligations of the Fire Pension of the City of Indianapolis, for the fiscal year beginning January 1, 1996 and ending December 31, 1996, the sums of money herein set out are hereby appropriated and ordered set apart out of the Fire Pension Fund for the purposes herein specified, subject to the law governing the same:

	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
DEPARTMENT OF PUBLIC SAFETY Fire Division	FIRE PENSION FUND	
1. Personal Services	21,761,472	21,761,472
2. Supplies	6,900	6,900
3. Other Services and Charges	80,275	80,275
4. Capital Outlay	4,000	4,000
5. Internal Charges	<u>-0-</u>	<u>-0-</u>
TOTAL	21,852,647	21,852,647

SECTION 3. (a) The salaries, wages, and compensation of the various officers and employees of the Fire Special Service District for the ensuing year are now fixed and approved as follows: (i) for all classified personnel of the Fire Special Service District in accordance with the schedule set forth in the Mayor's Executive Order No. 9, 1995, and (ii) for all merit firefighters in accordance with the applicable labor agreements approved by the Mayor. Such compensation shall not be increased without approval of the Council or as provided in such wage and salary classification ordinance as may from time to time be adopted for employees of the Fire Special Service District.

(b) The respective amounts herein specified for personal services are hereby appropriated therefore; provided, however, that no person, official, or employee whose salary or compensation has been approved as part of the "Personal Services" appropriations in this ordinance, or any ordinance hereafter adopted, shall have any vested right to receive such amount, except as may be accrued, or otherwise provided by statute. Control as to any decrease shall be vested in the body or executive having direction over the one affected, as provided by law. Provided that, certain employees classified as "exempt" for the purposes of the Fair Labor Standards Act shall be salaried employees, and such salaries shall be paid on an annualized basis. Exempt salaried employees shall, however, be required to work a regularly scheduled 40-hour week. Provided further, that the compensation of employees classified as "non-exempt" for the purposes of the Act may fluctuate from pay period to pay period, in accordance with actual hours worked. Non-exempt employees shall also be required to work a regularly scheduled 40-hour week. Wages and hours of uniformed employees shall be determined in accordance with applicable provisions of the Fair Labor Standards Act.

SECTION 4. To defray the costs of government of the Fire Special Service District in accordance with the appropriations stated in sections 1 and 2 of this ordinance, certain anticipated revenues are allocated as follows:

(a) The Fire Service District Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, all miscellaneous revenues derived from sources connected with the operation of the Fire Force, portions of the receipts from the County Option Income Tax allocated to this fund, the allocation of PILOT to this fund, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, and all amounts received from the levy of a rate of tax for this fund on all taxable property located in the Fire Special Service District by virtue of section 5 of this ordinance.

(b) The Fire Pension Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, all miscellaneous revenues derived from sources connected with the operation of the Fire Pension Fund, amounts allocated herein from the Supplemental Pension Trust, portions of the receipts from the County Option Income Tax allocated to this fund, the allocation of PILOT to this fund, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, all amounts received from the levy of a rate of tax for this fund on all taxable property located in the Fire Special Service District by virtue of section 5 of this ordinance.

SECTION 5. There is hereby levied and assessed or confirmed as may be required by law on all real estate and improvements and all business personal property of whatever description, tangible and intangible, and choses in action of every kind and character in the Fire Special Service District of the City of Indianapolis, as assessed for and returned for taxation in said District for the year 1995, payable in 1996, a tax rate of One Dollar and Twelve and forty-eight hundredths cents (\$1.1248) for the Fire Special Service District Fund of each one hundred dollars (\$100.00) valuation of such special service taxable property; and seventeen and sixty-five hundredths cents (\$0.1765) for the Fire Pension Fund of each one hundred dollars (\$100.00) valuation of such special service district taxable property.

SECTION 6. The budget of said special service district shall be carried out with the revenues from taxation provided from the several tax levies fixed in this ordinance, and the miscellaneous receipts of said funds and with the use of portions of current balances, all as indicated on the following tables:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES FIRE SERVICE DISTRICT FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
County Option Income Tax	5,150,000	9,600,000
Other Taxes	1,325,590	3,091,922
ALL OTHER REVENUE		
Licenses & Permits	1,025	2,825
Charges for Services	254,564	511,962
Intergovernmental	76,007	2,389,406
Sale and Lease of Property	-0-	-0-
Fees for Service	1,000	2,000
Miscellaneous	<u>2,500</u>	<u>35,050</u>
TOTAL	6,810,686	15,633,165

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES FIRE PENSION FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
COIT	1,817,500	3,635,000
Other Taxes	218,857	485,175
State Distributions	4,113,086	8,430,000
ALL OTHER REVENUE		
Intergovernmental	-0-	250,000
Miscellaneous	-0-	-0-
Trust & Agency	<u>2,032,983</u>	<u>4,833,300</u>
TOTAL	8,182,426	17,633,475

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

FIRE SERVICE DISTRICT FUND

1996 NET ASSESSED VALUATION \$2,477,316,891

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	4,034,055	4,034,055
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	23,216,863	23,216,863
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	23,216,863	23,216,863
6. Remaining property taxes to be collected present year	13,965,187	13,965,187
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	6,810,686	6,810,686
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	20,775,873	20,775,873
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,593,065	1,593,065
10. Total budget estimate for January 1 to December 31 of incoming year	43,641,936	43,641,936
11. Miscellaneous revenue for January 1 to December 31 of incoming year	15,633,165	15,633,165
12. Property tax to be raised from January 1 to December 31 of incoming year	27,834,842	27,864,860
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	1,419,137	1,449,155
14. Estimated December 31 cash balance, of incoming year	_____	_____
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	1.1248	1.1248
Proposed tax rate for incoming year	1.1248	1.1248

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

FIRE PENSION FUND

1996 NET ASSESSED VALUATION \$2,477,316,891

1995 BILLED NET ASSESSED VALUATION

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	1,004,845	1,004,845
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	10,437,130	10,437,130
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	10,437,130	10,437,130
6. Remaining property taxes to be collected present year	2,191,372	2,191,372
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	8,182,425	8,182,425
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	10,373,797	10,373,797
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	941,512	941,512
10. Total budget estimate for January 1 to December 31 of incoming year	21,852,647	21,852,647
11. Miscellaneous revenue for January 1 to December 31 of incoming year	17,633,475	17,633,475
12. Property tax to be raised from January 1 to December 31 of incoming year	4,367,754	4,372,464
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	1,090,095	1,094,805
14. Estimated December 31 cash balance, of incoming year	_____	_____
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.1765	0.1765
Proposed tax rate for incoming year	0.1765	0.1765

SECTION 7.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
Fire General	43,641,936	15,633,165	27,864,860	2,477,316,891	1.1248
Fire Pension	21,852,647	17,633,475	4,372,464	2,477,316,891	0.1765
Total	65,494,583	33,266,640	32,237,324		1.3013

SECTION 7. The Auditor of Marion County, be, and he is hereby ordered and directed to place the aforesaid tax levies upon the property tax duplicates; and the County Treasurer of such county, ex-officio city treasurer, be and he is hereby ordered and directed to collect the same for the Fire Special Service District of the City of Indianapolis, and make due report thereof as provided by law.

SECTION 8. This ordinance shall be in full force and effect beginning January 1, 1996, after passage by the Fire Special Service District Council, approval by the Mayor, and approval by the Tax Boards as required by law.

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT

The President convened the Solid Waste Collection Special Service District Council.

PROPOSAL NO. 500, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 500, 1995 on September 6, 1995. The proposal is the annual budget for the Solid Waste Collection Special Service District for 1996. By an 8-0 vote on September 6, 1995, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Coughenour moved, seconded by Councillor Rhodes, for adoption.

Councillor Tilford stated that he will be abstain from voting on Proposal No. 500, 1995 due to a conflict of interest.

Proposal No. 500, 1995, as amended, was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT VOTING: Tilford

1 ABSENT: Giffin

Councillor Moriarty Adams stated she wanted to publicly thank Craig Cordi and Dan Stegemoller for finishing her alleys.

Proposal No. 500, 1995, as amended, was retitled SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1995, and reads as follows:

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1995

A SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE creating the annual budget for the Solid Waste Collection Special Service District of the City of Indianapolis, Indiana, for the fiscal year beginning January 1, 1996 and ending December 31, 1996, appropriating monies for the purpose of defraying the expenses and all outstanding claims and obligations of said Solid Waste Collection Special Service District, fixing and establishing the annual rate of taxation and tax levy for the year 1996 for each fund for which a special tax levy is authorized, and fixing a time when this ordinance shall take effect.

BE IT ORDAINED BY THE SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. For the expenses of the Solid Waste Collection Special Service District of the City of Indianapolis for the fiscal year beginning January 1, 1996 and ending December 31, 1996, the sums of money herein set out are hereby appropriated and ordered set apart out of the Solid Waste Collection Service District Fund for the purposes herein specified, subject to the law governing the same:

1996 ANNUAL BUDGET DEPARTMENT OF PUBLIC WORKS		
	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
DEPARTMENT OF PUBLIC WORKS CONTRACT COMPLIANCE DIVISION	SOLID WASTE COLLECTION SERVICE DISTRICT FUND	
1. Personal Services	317,678	312,678
2. Supplies	4,350	4,350
3. Other Services and Charges	904,632	904,632
4. Capital Outlay	25,000	25,000
5. Internal Charges	<u>135,591</u>	<u>1,269,230</u>
TOTAL	1,387,251	2,515,890
DEPARTMENT OF PUBLIC WORKS SOLID WASTE ADMINISTRATION	SOLID WASTE COLLECTION SERVICE DISTRICT FUND	
1. Personal Services	4,323,899	4,249,899
2. Supplies	65,889	65,889
3. Other Services and Charges	9,801,242	9,801,242
4. Capital Outlay	1,838,530	1,912,530
5. Internal Charges	<u>1,657,366</u>	<u>1,657,366</u>
TOTAL	17,686,926	17,686,926
DEPARTMENT OF METROPOLITAN DEVELOPMENTS DIVISION OF ECONOMIC AND HOUSING DEVELOPMENT	SOLID WASTE COLLECTION DISTRICT FUND	
1. Personal Services		
2. Supplies		
3. Other Services and Charges	<u>1,000,000</u>	<u>1,000,000</u>
4. Capital Outlay		
5. Internal Charges		
TOTAL	<u>1,000,000</u>	<u>1,000,000</u>

SECTION 2. The salaries, wages and compensation of the various officers and employees of the Solid Waste Collection Special Service District for the ensuing year as are hereby fixed and approved as follows: (i) for all classified personnel of the Solid Waste Collection Special Service District by the Solid Waste Collection Special Service District Council in accordance with the schedule set forth in the Mayor's Executive Order No. 9, 1995, and (ii) for hourly employees on a bargaining unit shall be paid in accordance with the terms of the Master Agreement as approved by the Mayor. Such compensation shall not be increased without approval of the Council or as provided in such wage and salary classification ordinance as may from time to time be adopted for employees of the Solid Waste Collection Special Service District, and the respective amounts herein specified for personal services are hereby appropriated therefor. Provided, however, that no person, official or employee whose salary or compensation has been approved as part of the "Personal Services" appropriations in this ordinance or any ordinance hereafter adopted shall have any vested right to receive such amount, or any minimum amount, except as may be accrued, or otherwise provided by statute. Control as to any decrease shall be vested in the body or executive having direction over the one affected, as provided by law. Provided that, certain employees classified as "exempt" for the purposes of the Fair Labor Standards Act shall be salaried employees, and such salaries shall be paid on an annualized basis. Exempt salaried employees shall, however, be required to work a regularly scheduled 40-hour week. Provided further, that the compensation of employees classified as "non-exempt" for the purposes of the Act may fluctuate from pay period to pay period, in accordance with actual hours worked. Non-exempt employees shall also be required to work a regularly scheduled 40-hour week.

SECTION 3. To defray the costs of government of the Solid Waste Collection Special Service District in accordance with the appropriations stated in Section 1 of this ordinance, certain anticipated and estimated revenues are allocated as follows: The Solid Waste Collection Service District Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, all miscellaneous revenues derived from sources connected with the operation of the Solid Waste Collection Special Service District,

including federal grants and intergovernmental reimbursements, user charges, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, and all amounts received by the levy of a rate of tax for this fund on all taxable property located in the Solid Waste Collection Special Service District by virtue of Section 4 of this ordinance.

SECTION 4. There is hereby levied and assessed or confirmed as may be required by law on all real estate and improvements and all business personal property of whatever description, tangible and intangible, and chooses in action of every kind and character in the Solid Waste Collection Special Service District of the City of Indianapolis, as assessed and returned for taxation in said District for the year 1995, payable in 1996, a tax rate of twenty-five and twenty-two hundredths cents (\$0.2522) for the Solid Waste Collection Service District Fund on each one hundred dollars (\$100.00) valuation of such special service district taxable property.

SECTION 5. The budget of the Solid Waste Collection Special Service District shall be carried out with the revenues from taxation provided from the tax levy fixed in this ordinance, and the miscellaneous receipts of said funds and with the use of portions or current balances, all indicated on the following tables:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES SOLID WASTE COLLECTION SERVICE DISTRICT FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Other Taxes	942,849	2,071,341
ALL OTHER REVENUE		
Miscellaneous	0	125,000
Charges for Services	0	60,000
Fines and Penalties	0	0
Transfers Out	(716,791)	0
TOTAL	226,058	2,256,341

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
SOLID WASTE COLLECTION SERVICE DISTRICT FUND
 1996 NET ASSESSED VALUATION \$7,137,763,950
 1995 BILLED NET ASSESSED VALUATION

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	10,398,796	10,398,796
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	12,473,823	12,473,823
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	12,473,823	12,473,823
6. Remaining property taxes to be collected present year	8,999,835	8,999,835
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	(238,357)	226,058
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	8,761,478	9,225,895
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	6,686,451	7,150,866
10. Total budget estimate for January 1 to December 31 of incoming year	20,074,177	21,202,816

11. Miscellaneous revenue for January 1 to December 31 of incoming year	1,112,702	2,256,341
12. Property tax to be raised from January 1 to December 31 of incoming year	17,984,025	18,001,441
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	5,709,024	6,205,831
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.2537	0.2537
Proposed tax rate for incoming year	0.2522	0.2522

FUND	LEVY ON PROPERTY	AMOUNT TO BE RAISED
Solid Waste Collection Service	0.2522	18,001,441

SECTION 6. The Auditor of Marion County, Indiana, be and he is hereby ordered and directed to place the aforesaid levies upon the property tax duplicates; and the County Treasurer of such county, ex-officio city treasurer, be and he is hereby ordered and directed to collect the same for the Solid Waste Collection Special Service District of the City of Indianapolis, and make due report thereof as provided by law.

SECTION 7. This ordinance shall be in full force and effect beginning January 1, 1996, after passage by the Solid Waste Collection Special Service District Council, approval by the Mayor, and approval by the Tax Boards as required by law.

SECTION 8. The Auditor of Marion County, be, and he is hereby ordered and directed to place the aforesaid tax levies upon the property tax duplicates; and the County Treasurer of such county, ex-officio city treasurer, be and he is hereby ordered and directed to collect the same for the Solid Waste Collection Special Service District of the City of Indianapolis, and make due report thereof as provided by law.

SECTION 9. This ordinance shall be in full force and effect beginning January 1, 1996, after passage by the Solid Waste Collection Special Service District Council, approval by the Mayor, and approval by the Tax Boards as required by law.

CITY-COUNTY COUNCIL

The President reconvened the City-County Council.

Councillor Schneider reported that the Municipal Corporations Committee heard Proposal Nos. 515 -519, 1995 on August 3 and September 21, 1995.

PROPOSAL NO. 515, 1995. The proposal reviews, modifies and approves the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District. By a 6-0 vote on September 21, 1995, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Beadling, for adoption. Proposal No. 515, 1995 was adopted by the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 NOT VOTING: Gray

1 ABSENT: Giffin

Proposal No. 515, 1995 was retitled GENERAL RESOLUTION NO. 4, 1995, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 4, 1995

A GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District of Indianapolis, Indiana, and establishing the appropriations for the purpose of defraying the expenses and all outstanding claims and obligations of the said Municipal Corporation for the fiscal year beginning January 1, 1996 and ending December 31, 1996, and fixing a time when this resolution shall take effect.

WHEREAS, IC 36-3-6-9 empowers the City-County Council to review and modify the operating and maintenance budget and tax levies of the Indianapolis Airport Authority of Marion County, established pursuant to IC 8-22-3; and,

WHEREAS, the City-County Council has reviewed said budget and has determined that the same should be modified and approved as stated herein; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The operating budget for the expenses of the Indianapolis Airport Authority District of Indianapolis, Indiana, and its departments, division, and officials, for the fiscal year beginning January 1, 1996 and ending December 31, 1996 is hereby modified so that only the following sums of money are approved and appropriated out of the funds herein named and for the purposes herein specified subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year.

SECTION 2. For said fiscal year there is hereby appropriated out of the "Airport System Fund" of said Indianapolis Airport Authority District the sums as hereinafter appear in this section for the purposes herein named.

INDIANAPOLIS AIRPORT AUTHORITY DISTRICT BUDGET FOR 1996		
	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
1. Personal Services	11,649,177	11,649,177
2. Supplies	1,824,800	1,824,800
3. Other Services and Charges	53,409,316	53,409,316
4. Capital Outlay	<u>449,800</u>	<u>449,800</u>
TOTAL	67,333,093	67,333,093

SECTION 3. For said fiscal year, there is hereby appropriated out of the "Capital Improvement Fund" the following:

4. Capital Outlay	46,865,000	46,865,000
TOTAL	46,865,000	46,865,000

SECTION 4. That foregoing budget shall be carried out without any revenues from property taxation, with the use of portions of current balances in said funds and the receipts of miscellaneous revenues from all other sources, the means of financing thereof be computed in accordance with the following schedule:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES INDIANAPOLIS AIRPORT AUTHORITY SYSTEM FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
ALL OTHER REVENUE		
Airport Revenues	<u>34,646,621</u>	<u>69,975,467</u>
TOTAL	34,646,621	69,975,467

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES INDIANAPOLIS AIRPORT AUTHORITY CAPITAL IMPROVEMENT FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
ALL OTHER REVENUE		
Federal and State Grant Funds	8,376,864	27,854,000
Federal Payments	267,110	275,350
Transfers	0	6,560,000
Interest	1,368,009	2,244,216
Financing and Other	9,112,413	1,534,750
Sale of Property		
PFC's	3,609,658	8,397,000
TOTAL	22,734,054	46,865,316

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
 INDIANAPOLIS AIRPORT AUTHORITY SYSTEM FUND
 1996 NET ASSESSED VALUATION \$ _____
 1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	44,713,379	44,713,379
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	32,005,305	32,005,305
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	32,005,305	32,005,305
6. Remaining property taxes to be collected present year		
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	34,646,621	34,646,621
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	34,646,621	34,646,621
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	47,354,695	47,354,695
10. Total budget estimate for January 1 to December 31 of incoming year	67,333,093	67,333,093

11. Miscellaneous revenue for January 1 to December 31 of incoming year	69,975,467	69,975,467
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		
14. Estimated December 31 cash balance, of incoming year	49,997,069	49,997,069
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0	0
Proposed tax rate for incoming year	0	0

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
 INDIANAPOLIS AIRPORT AUTHORITY CAPITAL IMPROVEMENT FUND
 1996 NET ASSESSED VALUATION \$ _____
 1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	12,923,534	12,923,534
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	24,980,148	24,980,148
3. Additional appropriations necessary to be made July 1 to December 31 of present year	10,093,000	10,093,000
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	35,073,148	35,073,148
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	22,734,054	22,734,054
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	22,734,054	22,734,054
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	584,440	584,440
10. Total budget estimate for January 1 to December 31 of incoming year	46,865,000	46,865,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	46,865,316	46,865,316
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		
14. Estimated December 31 cash balance, of incoming year	584,756	584,756
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0	0
Proposed tax rate for incoming year	0	0

SECTION 5.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
Airport System Fund	67,333,093	69,975,467			
Airport Capital Improvement Fund	46,865,000	46,865,316			
Total	114,198,093	116,840,783			

SECTION 6. This resolution shall be in full force and effect beginning January 1, 1996, after passage by the City-County Council.

PROPOSAL NO. 516, 1995. The proposal reviews, modifies and approves the operating and maintenance budget and tax levies of the Capital Improvement Board of Managers of Marion County. By a 5-1 vote on September 21, 1995, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Shambaugh, for adoption.

Councillor Black said that he understands that when some minority vendors presented applications on the new ball park to the Capital Improvement Board ("CIB"), they were told that the quota had already been reached on minorities. For this reason he will be voting "no" on CIB's budget. Councillor Borst said that since he is the new member on the Capital Improvement Board, he will obtain some information on this matter and relay it to Councillor Black.

Proposal No. 516, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
1 NAY: *Black*
1 ABSENT: *Giffin*

Proposal No. 516, 1995 was retitled GENERAL RESOLUTION NO. 5, 1995, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 5, 1995

A GENERAL RESOLUTION reviewing, modifying and approving the operating budget of the Capital Improvement Board of Managers of Marion County, Indiana, and establishing the appropriations for the purpose of defraying the expenses and all outstanding claims and obligations of the said Board of Managers for the fiscal year beginning January 1, 1996 and ending December 31, 1996, and fixing a time when this resolution shall take effect.

WHEREAS, IC 36-10-9-8 provides that the City-County Council shall review, approve, or reject the operating budget of the Capital Improvement Board of Managers of Marion County, established pursuant to IC 36-10-9; and,

WHEREAS, the City-County Council has reviewed said budget and has determined that the same should be modified and approved as stated herein; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The operating budget for the expenses of the Capital Improvement Board of Managers of Marion County, Indiana, for the fiscal year beginning January 1, 1996 and ending December 31, 1996 is hereby modified so that only the following sums of money are approved and appropriated out of the funds herein named and for the purposes herein specified subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year.

SECTION 2. For said fiscal year there is hereby appropriated out of the "Capital Operating Fund" of said Board of Managers, the sums as hereinafter appear in this section for the purposes herein named.

CAPITAL IMPROVEMENT BOARD OF MANAGERS OF MARION COUNTY BUDGET FOR 1996		
	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
1. Personal Services	10,503,900	10,503,900
2. Supplies	1,194,000	1,194,000
3. Other Services and Charges	14,753,300	14,753,300
4. Capital Outlay	<u>2,650,000</u>	<u>2,650,000</u>
TOTAL	29,101,200	29,101,200

SECTION 3. For said fiscal year, there is hereby appropriated out of the "Bond Fund" the following:

3. Other Services and Charges	11,623,000	11,623,000
TOTAL	11,623,000	11,623,000

SECTION 4. That foregoing budget shall be carried out without any revenues from property taxation, with the use of portions of current balances in said funds and the receipts of miscellaneous revenues from all other sources, the means of financing thereof be computed in accordance with the following schedule:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES CAPITAL IMPROVEMENT BOARD OF MANAGERS OPERATING FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ALL OTHER REVENUE		
Interest on Investments	217,500	300,000
Rental	1,563,300	3,243,400
Food Service and Concessions Income	1,593,100	3,308,300
Labor Reimbursements	886,700	2,258,300
Parking Lot Receipts	275,200	829,000
Box Office Miscellaneous Income	406,800	779,000
Transfers from Bond Fund	5,024,664	13,496,400
Suites License Fees	79,500	2,784,400
Arena Lease		150,000
Advertising Income	653,500	1,554,100
Reimbursement for Const Capital Outlays	<u>2,369,000</u>	
TOTAL	13,069,264	28,702,900

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES CAPITAL IMPROVEMENT BOARD OF MANAGERS BOND FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
SPECIAL TAXES:		
Cigarette Tax Revenues	175,000	350,000
Hotel-Motel	5,631,100	11,680,000
Food and Beverage Tax	5,543,400	12,450,000
County Admissions Tax	68,200	650,000
ALL		
Interest on Investment	199,000	398,100
Transfers to Operating Fund	(5,024,664)	(13,496,400)
TOTAL	6,592,036	12,031,700

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
CAPITAL IMPROVEMENT BOARD OF MANAGERS OPERATING FUND
 1996 NET ASSESSED VALUATION \$ _____
 1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	15,534,039	15,534,039
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	21,925,700	21,925,700
3. Additional appropriations necessary to be made July 1 to December 31 of present year	500,000	500,000
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	22,425,700	22,425,700
6. Remaining property taxes to be collected present year		
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	13,069,264	13,069,264
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	13,069,264	13,069,264
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	6,177,603	6,177,603
10. Total budget estimate for January 1 to December 31 of incoming year	29,101,200	29,101,200
11. Miscellaneous revenue for January 1 to December 31 of incoming year	28,702,900	28,702,900
12. Property tax to be raised from January 1 to December 31 of incoming year		
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		
14. Estimated December 31 cash balance, of incoming year	5,779,303	5,779,303
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate		
Proposed tax rate for incoming year		

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
CAPITAL IMPROVEMENT BOARD OF MANAGERS BOND FUND

1996 NET ASSESSED VALUATION \$ _____

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	12,291,729	12,291,729
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	4,335,000	4,335,000
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Debt Service Reserve Funds Released to Construction Fund	8,787,900	8,787,900
5. Total expenditures for current year (add lines 2-4)	13,122,900	13,122,900
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	6,592,036	6,592,036
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	6,592,036	6,592,036
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	5,760,865	5,760,865
10. Total budget estimate for January 1 to December 31 of incoming year	11,623,000	11,623,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	12,031,700	12,031,700
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	6,169,565	6,169,565
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	_____	_____

SECTION 5.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
CIB Operating Fund	29,101,200	28,702,900			
CIB Debt Service Fund	11,623,000	12,031,700			
Total	40,724,200	40,734,600			

SECTION 6. This resolution shall be in full force and effect beginning January 1, 1996, after passage by the City-County Council.

PROPOSAL NO. 517, 1995. The proposal reviews, modifies and approves the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County. By a 6-0 vote on September 21, 1995, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Schneider moved, seconded by Councillor O'Dell, for adoption.

Councillor O'Dell stated that last year an agreement was made between Health and Hospital and Marion County for facility leasing of the Marion County Health Center. To date no moneys have been transferred to Marion County.

Proposal No. 517, 1995, as amended, was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

1 ABSENT: *Giffin*

Proposal No. 517, 1995, as amended, was retitled GENERAL RESOLUTION NO. 6, 1995, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 6, 1995

A GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County, Indiana, and establishing the appropriations for the purpose of defraying the expenses and all outstanding claims and obligations of the said Municipal Corporation for the fiscal year beginning January 1, 1996 and ending December 31, 1996, and fixing a time when this resolution shall take effect.

WHEREAS, IC 36-3-6-9 empowers the City-County Council to review and modify the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County, established pursuant to IC 8-22-3; and,

WHEREAS, the City-County Council has reviewed said budget and has determined that the same should be modified and approved as stated herein; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The operating budget for the expenses of the Health and Hospital Corporation of Marion County, Indiana, and its departments, division, and officials, for the fiscal year beginning January 1, 1996 and ending December 31, 1996 is hereby modified so that only the following sums of money are approved and appropriated out of the funds herein named and for the purposes herein specified subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year.

SECTION 2. For said fiscal year there is hereby appropriated out of the "General Fund" of said Health and Hospital Corporation the sums as hereinafter appear in this section for the purposes herein named.

HEALTH AND HOSPITAL CORPORATION BUDGET FOR 1996		
	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
ADMINISTRATIVE STAFF		
1. Personal Services	2,070,506	2,070,506
2. Supplies	140,000	140,000
3. Other Services and Charges	1,435,830	1,435,830
4. Capital Outlay	289,500	289,500
5. Internal Charges	-0-	-0-
TOTAL	3,935,836	3,935,836

DIVISION OF PUBLIC HEALTH		
1. Personal Services	14,582,830	14,582,830
2. Supplies	1,900,000	1,900,000
3. Other Services and Charges	3,600,902	3,600,902
4. Capital Outlay	562,000	562,000
5. Internal Charges	-0-	-0-
TOTAL	20,645,732	20,645,732
DIVISION OF PUBLIC HOSPITALS WILLIAM N. WISHARD MEMORIAL HOSPITAL		
1. Personal Services	98,552,405	98,552,405
2. Supplies	35,551,906	35,551,906
3. Other Services and Charges	44,221,866	44,221,866
4. Capital Outlay	9,000,000	9,000,000
5. Internal Charges	-0-	-0-
TOTAL	187,326,177	187,326,177
GRAND TOTAL ALL DIVISIONS	211,907,745	211,907,745

SECTION 3. For said fiscal year, there is hereby appropriated out of the "Bond Retirement Fund" the following:

3. Other Services and Charges	<u>2,960,432</u>	<u>2,960,432</u>
TOTAL	2,960,432	2,960,432

SECTION 4. For said fiscal year, there is hereby appropriated out of the "Cumulative Building Fund" the following:

4. Capital Outlay	<u>25,000,000</u>	<u>25,000,000</u>
TOTAL	25,000,000	25,000,000

SECTION 5. That foregoing budget shall be carried out without any revenues from property taxation provided from the several tax levies as modified and fixed in City-County Fiscal Ordinance No. 88, 1995 with the use of portions of current balances in said funds and the receipts of miscellaneous revenues from all other sources, the means of financing thereof be computed in accordance with the following schedule:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES HEALTH AND HOSPITAL GENERAL FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
SPECIAL TAXES		
Financial Institution Tax	581,634	1,180,200
License Excise Tax	2,652,553	6,115,328
ALL OTHER REVENUE		
Wishard Patient Receipts	60,606,799	120,219,104
Wishard Grant Receipts	7,188,937	13,495,000
Wishard Non-Patient Receipts	2,257,355	4,763,338
Public Health Receipts	657,200	2,846,070
Public Health DCS Grant	336,500	336,500
Administrative Staff Receipts	28,500	85,000
Mental Health Taxes	<u>589,500</u>	<u>1,151,000</u>
TOTAL	74,898,978	150,191,540

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES HEALTH AND HOSPITAL BOND RETIREMENT FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
SPECIAL TAXES		
Financial Institution Tax	24,947	50,120
License Excise Tax	113,774	259,705
ALL OTHER REVENUE		
Miscellaneous Receipts	<u>8,000</u>	<u>5,000</u>
TOTAL	146,721	314,825

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES HEALTH AND HOSPITAL CUMULATIVE BUILDING FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
SPECIAL TAXES		
Financial Institution Tax	1,437	2,915
Excise Tax	6,216	15,100
ALL OTHER REVENUE		
Miscellaneous Receipts	<u>1,795,688</u>	<u>3,295,900</u>
TOTAL	1,803,341	3,313,915

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
HEALTH AND HOSPITAL GENERAL FUND
 1996 NET ASSESSED VALUATION \$7,608,693,101
 1995 BILLED NET ASSESSED VALUATION \$7,460,583,

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	40,775,239	40,775,239
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	116,921,493	116,921,493
3. Additional appropriations necessary to be made July 1 to December 31 of present year	7,407,457	7,407,457
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	124,328,950	124,328,950
6. Remaining property taxes to be collected present year	31,151,428	31,151,428
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	74,898,978	74,898,978
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	106,050,406	106,050,406
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	22,496,695	22,496,695

10. Total budget estimate for January 1 to December 31 of incoming year	211,907,745	211,907,745
11. Miscellaneous revenue for January 1 to December 31 of incoming year	150,191,540	150,191,540
12. Property tax to be raised from January 1 to December 31 of incoming year	62,838,112	61,036,911
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	23,618,602	21,817,401
14. Estimated December 31 cash balance, of incoming year	-0-	-0-
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.8020	.8020
Proposed tax rate for incoming year	.8031	.8022

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

HEALTH AND HOSPITAL BOND RETIREMENT FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	236,714	236,714
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,676,198	1,676,198
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	1,676,198	1,676,198
6. Remaining property taxes to be collected present year	1,336,172	1,336,172
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	146,721	146,721
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,482,893	1,482,893
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	43,409	43,409
10. Total budget estimate for January 1 to December 31 of incoming year	2,960,432	2,960,432
11. Miscellaneous revenue for January 1 to December 31 of incoming year	314,825	314,825
12. Property tax to be raised from January 1 to December 31 of incoming year	2,602,198	2,602,198
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	-0-	-0-
14. Estimated December 31 cash balance, of incoming year	-0-	-0-
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0344	.0344
Proposed tax rate for incoming year	.0333	.0342

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

HEALTH AND HOSPITAL CUMULATIVE BUILDING FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	62,817,517	62,817,517
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	20,273,105	20,273,105

3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	20,273,105	20,273,105
6. Remaining property taxes to be collected present year	77,684	77,684
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	1,803,341	1,803,341
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,881,025	1,881,025
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	44,425,437	44,425,437
10. Total budget estimate for January 1 to December 31 of incoming year	25,000,000	25,000,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	3,313,915	3,313,915
12. Property tax to be raised from January 1 to December 31 of incoming year	156,480	152,174
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	22,895,832	22,891,526
14. Estimated December 31 cash balance, of incoming year	-0-	-0-
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0020	.0020
Proposed tax rate for incoming year	.0020	.0020

SECTION 6.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
Health & Hospital Corp General Fund	211,907,745	150,191,540	61,036,911	7,608,693,101	.8022
Health & Hospital Corp Debt Service Fund	2,960,432	314,825	2,602,198	7,608,693,101	.0342
Health & Hospital Corp Cumulative Bldg. Fund	25,000,000	3,313,915	152,174	7,608,693,101	.0020
Total	239,868,177	153,820,280	63,791,823		.8384

SECTION 7. This resolution shall be in full force and effect beginning January 1, 1996, after passage by the City-County Council and approval by the State Tax Boards as required by law.

PROPOSAL NO. 518, 1995. The proposal reviews, modifies and approves the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board. By a 6-0 vote on September 21, 1995, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Schneider moved, seconded by Councillor Black, for adoption. Proposal No. 518, 1995, as amended, was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West*
 3 NAYS: *Jimison, Rhodes, Williams*
 1 ABSENT: *Giffin*

Proposal No. 518, 1995, as amended, was retitled GENERAL RESOLUTION NO. 7, 1995, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 7, 1995

A GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board of Marion County, Indiana, and establishing the appropriations for the purpose of defraying the expenses and all outstanding claims and obligations of the said Library Board for the fiscal year beginning January 1, 1996 and ending December 31, 1996.

WHEREAS, IC 36-3-6-9 empowers the City-County Council to review and modify the operating budget of the Indianapolis-Marion County Public Library Board of Marion County, established pursuant to IC 20-14; and,

WHEREAS, the City-County Council has reviewed said budget and has determined that the same should be modified and approved as stated herein; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
 CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The operating and maintenance budget for the expenses of the Indianapolis-Marion County Public Library Board of Marion County, Indiana, for the fiscal year beginning January 1, 1996 and ending December 31, 1996 is hereby modified so that only the following sums of money are approved and appropriated out of the funds herein named and for the purposes herein specified subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year.

SECTION 2. For said fiscal year there is hereby appropriated out of the "Operating Fund" of said Library Board the sums as hereinafter appear in this section for the purposes herein named.

INDIANAPOLIS-MARION COUNTY PUBLIC LIBRARY BOARD BUDGET FOR 1996		
	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
1. Personal Services	15,088,950	14,688,950
2. Supplies	497,050	497,050
3. Other Services and Charges	3,816,145	3,325,025
4. Capital Outlay	6,570,463	5,770,463
5. Internal Charges		
TOTAL	25,972,608	24,281,488

SECTION 3. For said fiscal year, there is hereby appropriated out of the "Bond Fund" the following:

3. Other Services and Charges	<u>1,136,513</u>	<u>1,136,513</u>
TOTAL	1,136,513	1,136,513

SECTION 4. That foregoing budget shall be carried out without any revenues from taxation provided from the several tax levies as modified and fixed in City-County Fiscal Ordinance No. 88, 1995 with the

use of portions of current balances in said funds and the receipts of miscellaneous revenues from all other sources, the means of financing thereof be computed in accordance with the following schedule:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES LIBRARY OPERATING FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Financial Institution Tax	173,993	329,000
License Excise Tax	927,449	2,040,690
ALL OTHER REVENUE		
State Distribution	60,000	0
Fines and Fees	391,000	825,000
Photocopy Fees	80,000	165,000
Interest on Investments	30,500	105,000
Telephone Commissions	2,500	6,000
Library Service Authority	33,000	40,000
PLAC Cards	24,968	0
Literary	35,000	0
Miscellaneous	<u>307,000</u>	<u>25,000</u>
TOTAL	2,065,410	3,535,690

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES LIBRARY BOND FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Financial Institution Tax	8,634	16,845
License Excise Tax	44,360	101,265
Interest on Investments	<u>6,905</u>	<u>6,000</u>
TOTAL	59,899	124,110

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

LIBRARY OPERATING FUND

1996 NET ASSESSED VALUATION \$7,336,577,204

1995 BILLED NET ASSESSED VALUATION \$7,181,143,430

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	2,967,555	2,967,555
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	15,189,214	15,189,214
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	<u>15,189,214</u>	<u>15,189,214</u>
6. Remaining property taxes to be collected present year	10,434,869	10,434,869

7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	2,065,410	2,065,410
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	12,500,279	12,500,279
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	278,620	278,620
10. Total budget estimate for January 1 to December 31 of incoming year	25,972,608	24,281,488
11. Miscellaneous revenue for January 1 to December 31 of incoming year	3,535,690	3,535,690
12. Property tax to be raised from January 1 to December 31 of incoming year	22,313,033	20,467,178
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	154,735	0
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.2786	.2786
Proposed tax rate for incoming year	.3044	.2790

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

LIBRARY BOND FUND

1996 NET ASSESSED VALUATION \$7,336,577,204

1995 BILLED NET ASSESSED VALUATION \$7,181,143,430

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	285,272	285,272
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	834,616	834,616
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	834,616	834,616
6. Remaining property taxes to be collected present year	516,874	516,874
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	59,899	59,899
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	576,773	576,773
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	27,429	27,429
10. Total budget estimate for January 1 to December 31 of incoming year	1,136,513	1,136,513
11. Miscellaneous revenue for January 1 to December 31 of incoming year	124,110	124,110
12. Property tax to be raised from January 1 to December 31 of incoming year	984,974	984,974
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year	0	0
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0138	.0138
Proposed tax rate for incoming year	.0134	.0134

Section 5.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
Library Operating Fund	24,281,488	3,535,690	20,467,178	7,336,577,204	.2790
Library Bond Fund	1,136,513	124,110	984,974	7,336,577,204	.0134
Total	25,418,001	3,659,800	21,452,152		.2924

SECTION 6. This resolution shall be in full force and effect beginning January 1, 1996, after passage by the City-County Council.

PROPOSAL NO. 519, 1995. The proposal reviews, modifies and approves the operating and maintenance budget and tax levies of the Indianapolis Public Transportation Corporation. By a 4-2 vote on September 21, 1995, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Schneider moved, seconded by Councillor O'Dell, for adoption. Proposal No. 519, 1995, as amended, was adopted by the following roll call vote; viz:

22 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West*

6 NAYS: *Black, Golc, Gray, Jimison, Moriarty Adams, Williams*

1 ABSENT: *Giffin*

Proposal No. 519, 1995, as amended, was retitled GENERAL RESOLUTION NO. 8, 1995, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 8, 1995

A GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Public Transportation Corporation of Marion County, Indiana, and establishing the appropriations for the purpose of defraying the expenses and all outstanding claims and obligations of the said Transportation Corporation Board for the fiscal year beginning January 1, 1996 and ending December 31, 1996.

WHEREAS, IC 36-3-6-9 empowers the City-County Council to review and modify the operating budget of the Indianapolis Public Transportation Corporation of Marion County, established pursuant to IC 36-9-4; and

WHEREAS, the City-County Council has reviewed said budget and has determined that the same should be modified and approved as stated herein; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The operating and maintenance budget for the expenses of the Indianapolis Public Transportation Corporation of Marion County, Indiana, for the fiscal year beginning January 1, 1996 and ending December 31, 1996 is hereby modified so that only the following sums of money are approved and appropriated out of the funds herein named and for the purposes herein specified subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year.

SECTION 2. For said fiscal year there is hereby appropriated out of the "General Fund" of said Transportation Corporation the sums as hereinafter appear in this section for the purposes herein named.

INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION BUDGET FOR 1996		
	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
GENERAL FUND		
ADMINISTRATIVE		
1. Personal Services	1,311,259	1,226,120
2. Supplies	71,309	66,679
3. Other Services and Charges	7,228,828	6,759,466
4. Capital Outlay	380,000	355,326
5. Internal Charges	0	0
TOTAL	8,991,396	8,407,591
METRO OPERATIONS FUND		
TRANSPORTATION DIVISION		
1. Personal Services	3,338,598	3,338,598
2. Supplies	10,350	10,350
3. Other Services and Charges	123,705	123,705
4. Capital Outlay	0	0
5. Internal Charges	0	0
TOTAL	3,472,653	3,472,653
MAINTENANCE DIVISION		
1. Personal Services	1,694,510	1,694,510
2. Supplies	945,704	945,704
3. Other Services and Charges	718,708	718,708
4. Capital Outlay	0	0
5. Internal Charges	0	0
TOTAL	3,358,922	3,358,922
FUND TOTAL	6,831,575	6,831,575

SECTION 3. For said fiscal year, there is hereby appropriated out of the "Bond Fund" the following:

3. Other Services and Charges	<u>1,385,938</u>	<u>1,385,938</u>
TOTAL	1,385,938	1,385,938

SECTION 4. That foregoing budget shall be carried out without any revenues from property taxation provided from the several tax levies as modified and fixed in City-County Fiscal Ordinance No. 88, 1995, with the use of portions of current balances in said funds and the receipts of miscellaneous revenues from all other sources, the means of financing thereof be computed in accordance with the following schedule:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION GENERAL FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
SPECIAL TAXES		
Financial Institution Tax	56,928	105,454
License Excise Tax	309,500	680,442
ALL OTHER REVENUE		
Federal Matching Funds	0	0
Interest on Investments	25,000	8,691
Miscellaneous Revenue	<u>737,068</u>	<u>306,342</u>
TOTAL	1,128,496	1,100,929

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION BOND FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
SPECIAL TAXES		
Financial Institution Tax	8,402	16,804
License Excise Tax	53,586	119,770
ALL OTHER REVENUE		
Interest on Investments	15,000	17,500
Contracts to Excluded Areas	32,144	27,967
Transfer from GF/CEF	<u>0</u>	<u>0</u>
TOTAL	109,132	182,041

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION METRO OPERATIONS FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
SPECIAL TAXES		
Financial Institution Tax	0	0
License Excise Tax	0	0
ALL OTHER REVENUE		
Federal Matching Funds	242,640	609,549
Federal Operating	1,849,000	1,875,440
Build Indiana Fund	0	0
State Payments PMTF	0	0
Operating Revenue	2,707,932	4,502,658
Interest on Investments	0	0
Miscellaneous Revenue	0	0
Contracts to Excluded Areas	162,962	163,309
Capital Grants	10,217,379	0
IPTC Bond Note	0	0
TOTAL	15,179,913	7,150,956

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
 INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION GENERAL FUND

1996 NET ASSESSED VALUATION \$7,232,616,981

1995 BILLED NET ASSESSED VALUATION \$7,080,806,140

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	197,374	197,374
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	4,320,255	4,320,256
3. Additional appropriations necessary to be made July 1 to December 31 of present year	102,777	102,777
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	4,423,032	4,423,032
6. Remaining property taxes to be collected present year	3,416,105	3,416,105
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	1,128,496	1,128,496
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	4,544,601	4,544,601
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	318,943	318,943
10. Total budget estimate for January 1 to December 31 of incoming year	8,991,396	8,407,591
11. Miscellaneous revenue for January 1 to December 31 of incoming year	1,100,929	1,100,929
12. Property tax to be raised from January 1 to December 31 of incoming year	7,571,524	6,987,719
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year	0	0
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0953	0.0953
Proposed tax rate for incoming year	0.0965	0.0966

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION BOND FUND
 1996 NET ASSESSED VALUATION \$7,232,616,981
 1995 BILLED NET ASSESSED VALUATION \$7,080,806,140

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	592,332	592,382
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,129,543	1,129,543
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	1,129,543	1,129,543
6. Remaining property taxes to be collected present year	609,321	609,321
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	109,132	109,132
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	718,453	718,453
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	181,242	181,242
10. Total budget estimate for January 1 to December 31 of incoming year	1,385,938	1,385,938
11. Miscellaneous revenue for January 1 to December 31 of incoming year	182,041	182,041
12. Property tax to be raised from January 1 to December 31 of incoming year	1,105,579	1,105,579
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	82,924	82,924
14. Estimated December 31 cash balance, of incoming year	0	0
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0166	0.0166
Proposed tax rate for incoming year	0.0154	0.0153

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
INDIANAPOLIS PUBLIC TRANSPORTATION METRO OPERATIONS FUND
 1996 NET ASSESSED VALUATION \$7,232,616,981
 1995 BILLED NET ASSESSED VALUATION \$7,080,806,140

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	3,295,127	3,295,127
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	17,388,590	17,388,590
3. Additional appropriations necessary to be made July 1 to December 31 of present year	1,401,920	1,401,920
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	18,790,510	18,790,510
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	15,179,913	15,179,913
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	15,179,913	15,179,913
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	(315,470)	(315,470)
10. Total budget estimate for January 1 to December 31 of incoming year	6,831,575	6,831,575

11. Miscellaneous revenue for January 1 to December 31 of incoming year	7,150,956	7,150,956
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	3,911	3,911
14. Estimated December 31 cash balance, of incoming year	0	0
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0	0
Proposed tax rate for incoming year	0	0

SECTION 5.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
METRO General Fund	8,407,591	1,100,929	6,987,719	7,232,616,981	0.0966
METRO Operating Fund	6,831,575	7,150,956			
METRO Debt Service Fund	1,385,938	182,041	1,105,579	7,232,616,981	0.0153
Total	16,625,104	8,433,926	8,093,298		0.1119

SECTION 6. This resolution shall be in full force and effect beginning January 1, 1996, after passage by the City-County Council.

PROPOSAL NO. 501, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 501, 1995 on September 5, 1995. The proposal is the annual budget for the Revenue Bonds Debt Service Funds for 1996. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 501, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

1 ABSENT: *Giffin*

Proposal No. 501, 1995 was retitled FISCAL ORDINANCE NO. 82, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 82, 1995

A FISCAL ORDINANCE creating the annual budget of the Revenue Serviced Debt Funds of the City of Indianapolis, Indiana, for the fiscal year beginning January 1, 1996 and ending December 31, 1996, appropriating monies for the purpose of defraying the expenses and all outstanding claims and obligations of said Revenue Serviced Debt Funds fixing and establishing the annual rate of taxation and tax levy for the year 1996 for each fund for which a tax levy is authorized, and fixing a time when this ordinance shall take effect.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

ANNUAL BUDGET FOR REVENUE SERVICED DEBT FUNDS
OF THE CONSOLIDATED CITY OF INDIANAPOLIS

SECTION 1. Appropriations for 1996.

For the obligation of government of the Consolidated City of Indianapolis for its Revenue Bonds Debt Service Funds for the fiscal year beginning January 1, 1996, and ending December 31, 1996, the sums of money set out in this Section are hereby appropriated out of the respective funds (as established and allocated in Section 2), namely the Transportation Revenue Bonds of 1992 Fund, Golf Revenue Bonds of 1995 Fund, Redevelopment Tax Increment Revenue Bonds of 1992 Fund, Redevelopment Tax Increment Revenue Bonds of 1991 Fund, Redevelopment Tax Increment Revenue Bonds of 1990 Fund, and United Airlines Debt Service Fund for the purposes herein specified, subject to the laws governing the same. The sums so appropriated shall be held to include all such expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided by law.

	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
(a) TRANSPORTATION REVENUE BONDS OF 1992 FUND		
3. Other Services and Charges	<u>4,697,183</u>	<u>4,697,183</u>
TOTAL	4,697,183	4,697,183
(b) GOLF REVENUE BONDS OF 1995 FUND		
3. Other Services and Charges	<u>506,525</u>	<u>506,525</u>
TOTAL	506,525	506,525
(c) REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1992 FUND		
3. Other Services and Charges	<u>13,453,284</u>	<u>13,453,284</u>
TOTAL	13,453,284	13,453,284
(d) REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1991 FUND		
3. Other Services and Charges	<u>2,094,638</u>	<u>2,094,638</u>
TOTAL	2,094,638	2,094,638
(e) REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1990 FUND		
3. Other Services and Charges	<u>261,690</u>	<u>261,690</u>
TOTAL	261,690	261,690
(f) UNITED AIRLINES, INC. DEBT SERVICE FUND		
3. Other Services and Charges	<u>10,115,000</u>	<u>10,115,000</u>
TOTAL	10,115,000	10,115,000

SECTION 2. To defray the costs of the appropriation made in Section 1, certain anticipated and estimated revenues are allocations as follows:

(a) Transportation Revenue Bonds of 1992 Fund. The Transportation Revenue Bonds of 1992 Fund for 1995 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, those distribution of taxes allocated by the state pledged for retirement of debt and interest payment, and all other miscellaneous revenues derived from said Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES TRANSPORTATION REVENUE BONDS OF 1992 FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
ALL OTHER REVENUE		
Wheel Tax	0	4,705,000
Interest	0	<u>(6,000)</u>
Total	0	4,699,000

(b) Golf Revenue Bonds of 1995 Fund. The Golf Revenue Bonds of 1995 Fund also know as the Golf Project Revenue Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, and all pledged revenues of various municipal golf courses, and the tax increment distribution of the Whispering Hills tax district, and all other miscellaneous revenues derived from said Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES GOLF REVENUE BONDS OF 1995 FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
ALL OTHER REVENUE		
Golf Taxes	160,000	320,000
Fees for Service	311,500	576,450
Miscellaneous	7,000	30,000
Transfer Out	<u>(117,000)</u>	<u>(480,000)</u>
Total	361,500	446,450

(c) Redevelopment Tax Increment Revenue Bonds of 1992 Fund. The Redevelopment Tax Increment Revenue Bonds of 1992 Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund and all Circle Centre Mall tax increment disbursements from the Auditor, and all other miscellaneous revenues derived from said Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1992 FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
ALL OTHER REVENUE		
Tax Increment	-0-	12,421,447
Total	-0-	12,421,447

(d) Redevelopment Tax Increment Revenue Bonds of 1991 Fund. The Redevelopment Tax Increment Revenue Bonds of 1991 Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund and all Harding Street tax increment disbursements from the Auditor, and all other miscellaneous revenues derived from said Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1991 FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ALL OTHER REVENUE		
Tax Increment	-0-	256,124
Trustee		
Total	-0-	256,124

(e) Redevelopment Tax Increment Revenue Bonds of 1990 Fund. The Redevelopment Tax Increment Revenue Bonds of 1990 Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund and all 86th Street tax increment disbursements from the Auditor, and all other miscellaneous revenues derived from said Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1990 FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ALL OTHER REVENUE		
Tax Increment	-0-	<u>1,920,952</u>
Total	-0-	1,920,952

(f) United Airlines, Inc. Debt Service Fund. The United Airlines, Inc. Debt Service Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund and all United Airlines tax increment disbursements from the Auditor, a portion of the revenues from the County Option Income Tax, and all other miscellaneous revenues derived from said Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES UNITED AIRLINES, INC. DEBT SERVICE FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ALL OTHER REVENUE		
COIT	0	2,000,000
Miscellaneous	<u>400,000</u>	<u>750,000</u>
Total	400,000	2,750,000

Section 3. In accordance with law, the appropriations and allocations of revenues are summarized as follows:

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
TRANSPORTATION REVENUE BONDS OF 1992
 1996 NET ASSESSED VALUATION
 1995 BILLED NET ASSESSED VALUATION

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	1,408,822	1,408,822
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,342,446	1,342,446
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	1,342,446	1,342,446
6. Remaining property taxes to be collected present year	1,408,822	1,408,822
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	0	0
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	0	0
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	66,376	66,376
10. Total budget estimate for January 1 to December 31 of incoming year	4,697,183	4,697,183
11. Miscellaneous revenue for January 1 to December 31 of incoming year	4,699,000	4,699,000
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	68,194	68,194
14. Estimated December 31 cash balance, of incoming year	_____	_____

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
GOLF REVENUE BONDS OF 1995
 1996 NET ASSESSED VALUATION
 1995 BILLED NET ASSESSED VALUATION

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	573,330	573,330
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	192,640	192,640
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	192,640	192,640
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	361,500	361,500
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	361,500	361,500
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	742,190	742,190
10. Total budget estimate for January 1 to December 31 of incoming year	506,525	506,525
11. Miscellaneous revenue for January 1 to December 31 of incoming year	446,450	446,450

12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	682,116	682,116
14. Estimated December 31 cash balance, of incoming year	<u> </u>	<u> </u>

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 19921996 NET ASSESSED VALUATION \$ 1995 BILLED NET ASSESSED VALUATION \$

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	\$6,898,148	\$6,898,148
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	5,866,311	5,866,311
3. Additional appropriations necessary to be made July 1 to December 31 of present year	<u> </u>	<u> </u>
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	<u> </u>	<u> </u>
5. Total expenditures for current year (add lines 2-4)	5,866,311	5,866,311
6. Remaining property taxes to be collected present year	<u> </u>	<u> </u>
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	<u> </u>	<u> </u>
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	<u> </u>	<u> </u>
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,031,837	1,031,837
10. Total budget estimate for January 1 to December 31 of incoming year	13,453,284	13,453,284
11. Miscellaneous revenue for January 1 to December 31 of incoming year	12,421,447	12,421,477
12. Property tax to be raised from January 1 to December 31 of incoming year	<u> </u>	<u> </u>
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	<u> </u>	<u> </u>
14. Estimated December 31 cash balance, of incoming year	<u> </u>	<u> </u>

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 19911996 NET ASSESSED VALUATION \$ 1995 BILLED NET ASSESSED VALUATION \$

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	1,075,430	1,075,430
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	901,744	901,744
3. Additional appropriations necessary to be made July 1 to December 31 of present year	<u> </u>	<u> </u>
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	<u> </u>	<u> </u>
5. Total expenditures for current year (add lines 2-4)	901,744	901,744
6. Remaining property taxes to be collected present year	<u> </u>	<u> </u>
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	<u> </u>	<u> </u>
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	<u> </u>	<u> </u>

9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	5,566	5,566
10. Total budget estimate for January 1 to December 31 of incoming year	261,690	261,690
11. Miscellaneous revenue for January 1 to December 31 of incoming year	256,124	256,124
12. Property tax to be raised from January 1 to December 31 of incoming year		
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		
14. Estimated December 31 cash balance, of incoming year		

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1990

1996 NET ASSESSED VALUATION \$ _____

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	1,075,430	1,075,430
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	901,744	901,744
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	901,744	901,744
6. Remaining property taxes to be collected present year		
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year		
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)		
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	173,686	173,686
10. Total budget estimate for January 1 to December 31 of incoming year	2,094,638	2,094,638
11. Miscellaneous revenue for January 1 to December 31 of incoming year	1,920,952	1,920,952
12. Property tax to be raised from January 1 to December 31 of incoming year		
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		
14. Estimated December 31 cash balance, of incoming year		

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

UNITED AIRLINES, INC. DEBT SERVICE FUND

1996 NET ASSESSED VALUATION

1995 BILLED NET ASSESSED VALUATION

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	15,850,089	15,850,089
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	4,853,783	4,853,783
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	4,853,783	4,853,783

6. Remaining property taxes to be collected present year	0	
7. Miscellaneous revenue to be received		
July 1 through Dec. 31 of present year	400,000	400,000
8. Estimated revenue to be received		
July 1 to December 31 (add lines 6-7)	400,000	400,000
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	11,396,306	11,396,306
10. Total budget estimate for January 1 to December 31 of incoming year	10,115,000	10,115,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	2,750,000	2,750,000
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	4,031,306	4,031,306
14. Estimated December 31 cash balance, of incoming year		

SECTION 5. This ordinance shall be in full force and effect beginning January 1, 1996, after passage by the City-County Council, approval by the Mayor, and approval by the Tax Boards as required by law.

PROPOSAL NO. 502, 1995. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 502, 1995 on September 14, 1995. The proposal is the annual budget for the Marion County Office of Family and Children for 1996. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor O'Dell moved, seconded by Councillor Franklin, for adoption. Proposal No. 502, 1995, as amended, was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
 0 NAYS:
 1 ABSENT: *Giffin*

Proposal No. 502, 1995, as amended, was retitled FISCAL ORDINANCE NO. 84, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 84, 1995

A FISCAL ORDINANCE creating the annual budget for the Marion County Office of Family and Children for the fiscal year beginning January 1, 1996 and ending December 31, 1996 appropriating monies for the purpose of defraying the expenses and all outstanding claims and obligations for the Marion County Office of Family and Children, fixing and establishing the annual rate of taxation and tax levy for the year 1996 for each fund for which a special tax levy is authorized, and fixing a time when this ordinance shall take effect.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. County Welfare appropriations for 1996.

For expenses of the Marion County Office of Family and Children for the year beginning January 1, 1996 and ending December 31, 1996, the sums of money herein set out are hereby appropriated and ordered set apart out of the Welfare General Fund, Family and Children Fund, Welfare Administration Fund, Welfare Medical Care Assistance to Wards Fund, Hospital Care for the Indigent Fund, and County Children With Special Health Care Needs Fund for the purposes herein specified subject to the laws governing the same. The sums so appropriated shall be held to include all such expenditures authorized to be made during the said calendar year, unless otherwise expressly stipulated and provided by law.

1996 ANNUAL BUDGET MARION COUNTY OFFICE OF FAMILY AND CHILDREN		
	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
MARION COUNTY OFFICE OF FAMILY AND CHILDREN	WELFARE GENERAL FUND	
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	9,455,526	9,455,526
4. Capital Outlay	_____	_____
TOTAL	9,455,526	9,455,526
MARION COUNTY OFFICE OF FAMILY AND CHILDREN	FAMILY AND CHILDREN FUND	
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	54,750,938	54,750,938
4. Capital Outlay	_____	_____
TOTAL	54,750,938	54,750,938

Welfare Administration Fund (not provided)

Welfare Medical Care Assistance to Wards (not provided)

Hospital Care for the Indigent Fund (not provided)

County Children With Special Health Care Needs Fund (not provided)

SECTION 2. Marion County Welfare Bond Sinking Fund appropriations.

For the calendar year 1996, there is hereby appropriated out of the Marion County Welfare Sinking Fund the following:

Principal to be paid	-0-	-0-
Interest to be paid	-0-	-0-
Bank Service Charge	-0-	-0-
TOTAL	-0-	-0-

SECTION 3. Statements of miscellaneous revenues.

The budget contained in Section 1 and Section 2 for the Marion County Office of Family and Children shall be financed by the use of the miscellaneous receipts of the said funds and portions of current balances as indicated in the following tables and by the revenues from taxation provided from the several tax levies fixed in Section 6 of this ordinance.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES WELFARE GENERAL FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
SPECIAL TAXES		
Financial Institution Tax	46,850	93,700
License Excise Tax	346,086	640,900
OTHER REVENUE		
At Risk Child Care	562,643	1,271,106
Burial of Deceased AFDC Recipients	8,190	21,000
Title Iv-D Reimbursements	464,440	1,000,000
Adoption Assistance		
Foster Care Assistance		
Independent Living For Wards		
Repayments & Other Receipts		
TOTAL	1,428,209	3,026,706

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES FAMILY AND CHILDREN FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
SPECIAL TAXES		
Financial Institution Tax	251,823	503,000
License Excise Tax	1,900,000	3,500,000
OTHER REVENUE		
Emergency Assistance-Wards	100,000	2,567,629
Emergency Assistance Families	25,000	250,000
Adoption Assistant	984,413	3,266,181
Foster Care Assistance	2,455,857	5,023,432
Independent Living for Wards	6,000	10,000
Repayments & Other Receipts	950,000	1,808,900
TOTAL	6,673,093	16,929,142

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES WELFARE ADMINISTRATION FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
SPECIAL TAXES		
Financial Institution Tax	35,918	71,837
Vehicle License Excise Tax	218,974	489,201
TOTAL	254,892	561,038

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES WELFARE MEDICAL CARE ASSISTANCE TO WARDS FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Financial Institution Tax	2,312	4,624
Vehicle License Excise Tax	<u>14,094</u>	<u>31,486</u>
TOTAL	16,406	36,110

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES WELFARE BOND SINKING FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Financial Institution Tax	-0-	-0-
Vehicle License Excise Tax	-0-	-0-
TOTAL	-0-	-0-

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES HOSPITAL CARE FOR THE INDIGENT FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Financial Institution Tax	2,763	5,526
Vehicle License Excise Tax	<u>16,844</u>	<u>37,631</u>
TOTAL	19,607	43,157

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES COUNTY CHILDREN WITH SPECIAL HEALTH CARE NEEDS FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Financial Institution Tax	6,992	13,986
Vehicle License Excise Tax	<u>42,626</u>	<u>95,229</u>
TOTAL	49,618	109,215

SECTION 4. Estimates of funds to be raised and proposed tax rates.

The appropriations made in Section 3 shall be financed from the foregoing allocations of revenues and from the proposed rates of taxation calculated as follows:

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

WELFARE GENERAL FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	3,117,407	3,117,407
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		4,209,674
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)		4,209,674
6. Remaining property taxes to be collected present year	3,210,233	3,432,734
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year		1,428,209
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)		4,860,943
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)		3,768,676
10. Total budget estimate for January 1 to December 31 of incoming year		9,455,526
11. Miscellaneous revenue for January 1 to December 31 of incoming year		3,026,706
12. Property tax to be raised from January 1 to December 31 of incoming year	6,539,085	2,788,022
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		127,878
14. Estimated December 31 cash balance, of incoming year		127,878
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0849	.0849
Proposed tax rate for incoming year		.0366

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

FAMILY AND CHILDREN FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	2,606,727	2,606,727
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		20,024,548
3. Additional appropriations necessary to be made July 1 to December 31 of present year		3,401,732
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)		23,426,280
6. Remaining property taxes to be collected present year	16,886,809	17,346,917
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year		6,673,093
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)		24,020,010
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)		3,200,457
10. Total budget estimate for January 1 to December 31 of incoming year		54,750,938
11. Miscellaneous revenue for January 1 to December 31 of incoming year		16,929,142
12. Property tax to be raised from January 1 to December 31 of incoming year		34,686,175
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		64,836
14. Estimated December 31 cash balance, of incoming year		64,836
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.4466	.4466
Proposed tax rate for incoming year		.4559

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

WELFARE ADMINISTRATION FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year		
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)		
6. Remaining property taxes to be collected present year	2,408,620	2,408,620
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	254,892	254,892
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	2,663,512	2,663,512
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)		
10. Total budget estimate for January 1 to December 31 of incoming year		

11. Miscellaneous revenue for January 1 to December 31 of incoming year	561,038	561,038
12. Property tax to be raised from January 1 to December 31 of incoming year	4,792,417	4,792,417
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0637	.0637
Proposed tax rate for incoming year		.0630

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

WELFARE MEDICAL CARE ASSISTANCE TO WARDS FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year		
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)		
6. Remaining property taxes to be collected present year	155,029	155,029
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	16,406	16,406
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	171,435	171,435
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)		
10. Total budget estimate for January 1 to December 31 of incoming year		
11. Miscellaneous revenue for January 1 to December 31 of incoming year	36,110	36,110
12. Property tax to be raised from January 1 to December 31 of incoming year	320,047	320,047
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0041	.0041
Proposed tax rate for incoming year		.0042

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

WELFARE BOND SINKING FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	2,895	2,895
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		
3. Additional appropriations necessary to be made July 1 to December 31 of present year		

4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)		
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	-0-	-0-
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	-0-	-0-
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	2,895	2,895
10. Total budget estimate for January 1 to December 31 of incoming year		
11. Miscellaneous revenue for January 1 to December 31 of incoming year	-0-	-0-
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	2,895	2,895
14. Estimated December 31 cash balance, of incoming year	2,895	2,895
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

HOSPITAL CARE FOR THE INDIGENT FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year		
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)		
6. Remaining property taxes to be collected present year	185,278	185,278
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	19,607	19,607
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	204,885	204,885
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)		
10. Total budget estimate for January 1 to December 31 of incoming year		
11. Miscellaneous revenue for January 1 to December 31 of incoming year	43,157	43,157
12. Property tax to be raised from January 1 to December 31 of incoming year	382,496	382,496
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0049	.0049
Proposed tax rate for incoming year		.0050

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
COUNTY CHILDREN WITH SPECIAL HEALTH CARE NEEDS FUND
 1996 NET ASSESSED VALUATION \$7,608,693,101
 1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	_____	_____
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	_____	_____
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	_____	_____
6. Remaining property taxes to be collected present year	468,868	468,868
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	49,618	49,618
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	518,486	518,486
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	_____	_____
10. Total budget estimate for January 1 to December 31 of incoming year	_____	_____
11. Miscellaneous revenue for January 1 to December 31 of incoming year	109,215	109,215
12. Property tax to be raised from January 1 to December 31 of incoming year	931,935	931,935
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	_____	_____
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0124	.0124
Proposed tax rate for incoming year	_____	.0122

SECTION 5. Summary of Public Welfare appropriations and tax levies.

FUND	APPROP.	AMOUNT TO BE RAISED	NET TAX RATE
Welfare General	9,455,526	2,788,022	.0366
Family and Children	54,750,938	34,686,175	.4559
Welfare Administration	_____	4,792,417	.0630
Welfare Medical Care			
Assistance to Wards	_____	320,047	.0042
Welfare Bond Sinking	-0-	-0-	-0-
Hospital Care for the Indigent	_____	382,496	.0050
County Children With Special Health Care Needs	_____	931,935	.0122
TOTAL WELFARE	64,206,464	43,901,092	.5769

SECTION 6. Marion County Office of Family and Children tax levies.

(a) Welfare General Fund. For the use and benefit of the Welfare General Fund, there is hereby levied and assessed in 1995, collectible in the year 1996, the sum of three and sixty-six hundredths cents (\$.0366) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Welfare General Fund in the County Treasury.

(b) Family and Children Fund. For the use and benefit of the Family and Children Fund, there is hereby levied and assessed in 1995, collectible in the year 1996, the sum of forty-five and fifty-nine hundredths cents (\$.4559) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said

Marion County, which taxes, when collected, shall be paid into the Family and Children Fund in the County Treasury.

(c) Welfare Administration Fund. For the use and benefit of the Welfare Administration Fund, there is hereby levied and assessed in 1995, collectible in the year 1996, the sum of six and thirty hundredths cents (\$.0630) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Welfare Administration Fund in the County Treasury and transferred to the State of Indiana.

(d) Welfare Medical Care Assistance to Wards. For the use and benefit of the Welfare Medical Care Assistance to Wards Fund, there is hereby levied and assessed in 1995, collectible in the year 1996, the sum of forty-two hundredths cents (\$.0042) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Welfare Medical Care Assistance to Wards Fund in the County Treasury and transferred to the State of Indiana.

(e) Welfare Bond Sinking Fund. For the use and benefit of the County Welfare Bond Sinking Fund, there is hereby levied and assessed in 1995, collectible in the year 1996, the sum of zero hundredths cents (\$.0000) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Welfare Bond Sinking Fund in the County Treasury.

(f) Hospital Care for the Indigent Fund. For the use and benefit of the Hospital Care for the Indigent Fund, there is hereby levied and assessed in 1995, collectible in the year 1996, the sum of fifty hundredths cents (\$.0050) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Hospital Care for the Indigent Fund in the County Treasury and transferred to the State of Indiana.

(g) County Children with Special Health Care Needs Fund. For the use and benefit of the County Children With Special Health Care Needs Fund, there is hereby levied and assessed in 1995, collectible in the year 1996, the sum of one and twenty-two hundredths cents (\$.0122) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the County Children With Special Health Care Needs Fund in the County Treasury and transferred to the State of Indiana.

SECTION 7. Collection of tax levies.

The Auditor of Marion County, Indiana, is hereby ordered and directed to place all the tax levies set forth in this ordinance (as approved by the State Board of Tax Commissioners) upon the property tax duplicate.

SECTION 8. Effective date.

This ordinance shall be in full force and effect beginning January 1, 1996, after passage by the City-County Council, approval by the Mayor (or passage over his veto), and approval by the County Tax Adjustment Board and State Board of Tax Commissioners as required by law.

PROPOSAL NO. 503, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 503, 1995 on September 20, 1995. The proposal is the annual budget for the Metropolitan Emergency Communications Agency for 1996. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 503, 1995, as amended, was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

1 ABSENT: *Giffin*

Proposal No. 503, 1995, as amended, was retitled FISCAL ORDINANCE NO. 85, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 85, 1995

A FISCAL ORDINANCE creating the annual budget of the Metropolitan Emergency Communications Agency (MECA) of the City of Indianapolis, Indiana, for the fiscal year beginning January 1, 1996 and ending December 31, 1996, appropriating monies for the purpose of defraying the expenses and all outstanding claims and obligations of said MECA Fund, MECA Enhanced 9-1-1 Fund, and the MECA Sinking Fund, fixing and establishing the annual rate of taxation and tax levy for the year 1996 for each fund for which a tax levy is authorized, and fixing a time when this ordinance shall take effect.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. For the expenses of the Metropolitan Emergency Communications Agency of the City of Indianapolis and Marion County for the fiscal year beginning January 1, 1996 and ending December 31, 1996, the sums of money herein set out are hereby appropriated and ordered set apart out of the Metropolitan Emergency Communications Fund for the purposes herein specified, subject to the law governing the same:

1996 ANNUAL BUDGET METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY		
	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
(a) METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY	METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY FUND	
1. Personal Services	692,706	692,706
2. Supplies	107,900	107,900
3. Other Services and Charges	1,568,224	1,663,261
4. Capital Outlay	<u>158,600</u>	<u>158,600</u>
TOTAL	2,527,430	2,622,467
(b) OFFICE OF THE CITY CONTROLLER	METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY INDIANAPOLIS EMERGENCY TELEPHONE SYSTEM FUND	
1. Personal Services		
2. Supplies		
3. Other Services and Charges	1,683,450	1,683,450
4. Capital Outlay		
TOTAL	1,683,450	1,683,450
(c) COUNTY AUDITOR	METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY FUND	
1. Personal Services	176,359	176,359
2. Supplies		
3. Other Services and Charges		
4. Capital Outlay		
TOTAL	176,359	176,359

SECTION 2. For the purposes of paying the principal and interest due on the outstanding bonded and other indebtedness of the Indianapolis Public Safety Communications Systems and Computer Facilities District, Metropolitan Emergency Communications Agency of the City of Indianapolis and Marion County, for the fiscal year beginning January 1, 1996 and ending December 31, 1996, the sums of money herein set out are hereby appropriated and ordered set apart out of the Metropolitan Emergency Communications Agency Sinking Fund for the purposes herein specified, subject to the law governing the same:

	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY	METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY	SINKING FUND
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	3,049,300	3,049,300
4. Capital Outlay	_____	_____
TOTAL	3,049,300	3,049,300

SECTION 3. The salaries, wages, and compensation of the various officers and employees of the Metropolitan Emergency Communications Agency for the ensuing year are now fixed and approved for all employees of the Metropolitan Emergency Communications Agency in accordance with the schedule of compensation adopted pursuant to Article VI of Chapter 23 of the Code of Indianapolis and Marion County.

Such compensation shall not be increased without approval of the Council or as provided in such wage and salary classification ordinance as may from time to time be adopted for employees of the Metropolitan Emergency Communications Agency, and the respective amounts herein specified for personal services are hereby appropriated therefor; provided, however, that no person, official, or employee whose salary or compensation has been approved as part of the "Personal Services" appropriations in this ordinance, or any ordinance hereafter adopted, shall have any vested right to receive such amount, except as may be accrued, or otherwise provided by statute. Control as to any decrease shall be vested in the body or executive having direction over the one affected, as provided by law. Provided that, certain employees classified as "exempt" for the purposes of the Fair Labor Standards Act shall be salaried employees, and such salaries shall be paid on an annualized basis. Exempt salaried employees shall, however, be required to work a regularly scheduled 40-hour week. Provided further, that the compensation of employees classified as "non-exempt" for the purposes of the Act may fluctuate from pay period to pay period, in accordance with actual hours worked. Non-exempt employees shall also be required to work a regularly scheduled 40-hour week. Wages and hours of uniformed employees shall be determined in accordance with applicable provisions of the Fair Labor Standards Act.

SECTION 4. To defray the costs of government of the Metropolitan Emergency Communications Agency in accordance with the appropriations stated in sections 1 and 2 of this ordinance, certain anticipated and estimated revenues are allocated as follows:

(a) The Metropolitan Emergency Communications Agency Fund for 1996 (County Auditor) shall consist of all balances at the end of fiscal 1995 available for transfer into said fund from the City Controller, and all fees, charges, miscellaneous revenues derived from sources connected with the operation of the Metropolitan Emergency Communications Agency and the portion of County Option Income taxes allocated to such purposes, all of which does not involve a property tax levy for said fund.

(b) The Metropolitan Emergency Communications Agency, Indianapolis Emergency Telephone System Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, Enhanced 9-1-1 fees and interest allocated to the Metropolitan Emergency Communications Agency, all of which does not involve a property tax levy for said fund.

(c) The Metropolitan Emergency Communications Agency Sinking Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, all miscellaneous revenues derived from sources connected with the operation of the Metropolitan Emergency Communications Agency Sinking Fund, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, all amounts received by the levy of a rate tax for this fund on all taxable property located in the Indianapolis Public Safety Communications System and Computer Facilities District (county-wide assessed valuation) by virtue of section 5 of this ordinance.

SECTION 5. There is hereby levied and assessed or confirmed as may be required by law on all real estate and improvements and all business personal property of whatever description, tangible and intangible, and choses in action of every kind and character in the Indianapolis Public Safety

Communications System and Computer Facilities District (county-wide assessed valuation), as assessed and returned for taxation in said District for the year 1995, payable in 1996, a tax rate of three and forty-one hundredths cents (\$.0341) for Metropolitan Emergency Communications Agency Sinking Fund on each one hundred dollars (\$100.00) valuation of such district taxable property.

SECTION 6. The budget of said taxing district shall be funded with the revenues from taxation provided from the several tax levies fixed in this ordinance, and the miscellaneous receipts of said funds and with the use of portions of current balances, all as indicated on the following tables:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
County Option Income Tax	1,000,000	2,000,000
ALL OTHER REVENUE		
E-911 Telephone Charges	227,160	228,467
Reimbursements	47,944	112,944
Miscellaneous	<u>41,900</u>	<u>11,777</u>
TOTAL	1,317,004	2,353,188

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY, INDIANAPOLIS EMERGENCY TELEPHONE SYSTEM FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Charges For Services	1,660,182	3,591,360
Sale and Lease of Property	-0-	-0-
ALL OTHER REVENUE		
Miscellaneous	20,000	30,000
Transfers-Out	<u>-0-</u>	<u>(1,907,910)</u>
TOTAL	1,680,182	1,713,450

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY, METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY SINKING FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Other Taxes	152,178	301,541
Miscellaneous	<u>3,000</u>	<u>6,000</u>
TOTAL	155,178	307,541

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY FUND
 1996 NET ASSESSED VALUATION \$7,608,693,101
 1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	2,555,764	2,555,764
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,488,164	1,488,164
3. Additional appropriations necessary to be made July 1 to December 31 of present year	7,820	7,820
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	1,495,984	1,495,984
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	1,317,004	1,317,004
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,317,004	1,317,004
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	2,376,784	2,376,784
10. Total budget estimate for January 1 to December 31 of incoming year	2,703,789	2,798,826
11. Miscellaneous revenue for January 1 to December 31 of incoming year	2,353,188	2,353,188
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	2,026,183	1,931,146
14. Estimated December 31 cash balance, of incoming year	2,026,183	1,931,146
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate		
Proposed tax rate for incoming year		

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY,
INDIANAPOLIS EMERGENCY TELEPHONE SYSTEM FUND
 1996 NET ASSESSED VALUATION \$7,608,693,101
 1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	700,163	700,163
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,817,053	1,817,053
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	1,817,053	1,817,053
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	1,680,182	1,680,182
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,680,182	1,680,182
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	563,292	563,292
10. Total budget estimate for January 1 to December 31 of incoming year	1,683,450	1,683,450
11. Miscellaneous revenue for January 1 to December 31 of incoming year	1,713,450	1,713,450
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	593,292	593,292
14. Estimated December 31 cash balance, of incoming year	593,292	593,292
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	_____	_____

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY SINKING FUND
 1996 NET ASSESSED VALUATION \$7,608,693,101
 1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	7,389	7,389
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,473,000	1,473,000
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	1,473,000	1,473,000
6. Remaining property taxes to be collected present year	1,380,136	1,380,136
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	155,178	155,178
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,535,314	1,535,314
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	69,703	69,703
10. Total budget estimate for January 1 to December 31 of incoming year	3,049,300	3,049,300

11. Miscellaneous revenue for January 1 to December 31 of incoming year	307,541	307,541
12. Property tax to be raised from January 1 to December 31 of incoming year	2,774,490	2,777,173
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	102,434	105,117
14. Estimated December 31 cash balance, of incoming year	102,434	105,117
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0365	0.0365
Proposed tax rate for incoming year	0.0365	0.0365

Summaries.

FUND	LEVY ON PROPERTY	AMOUNT TO BE RAISED
Metropolitan Emergency Communications Agency	-0-	-0-
Metropolitan Emergency Communications Agency Indianapolis Emergency Telephone System	-0-	-0-
Metropolitan Emergency Communications Agency Sinking	.0365	2,777,173
TOTAL	.0365	2,777,173

SECTION 7. The City Controller shall distribute to the public safety dispatch agencies listed below from the Indianapolis Emergency Telephone System Fund based on actual receipts received from Indiana Bell, only the incremental fees resulting from the increase adopted November 23, 1992 by the City-County Council. Distribution shall be based upon the following percentages:

Indianapolis Police	43.46%
Indianapolis Fire	12.42%
Marion County Sheriff	24.50%
City of Lawrence	5.56%
City of Beech Grove	3.02%
Town of Speedway	2.95%
Perry/Decatur Township	3.26%
Wayne Township	4.83%

SECTION 8. The Auditor of Marion County, be, and he is hereby ordered and directed to place the aforesaid tax levies upon the property tax duplicates; and the County Treasurer of such county, ex-officio city treasurer, be and she is hereby ordered and directed to collect the same for the Metropolitan Emergency Communications Agency of the City of Indianapolis, and make due report thereof as provided by law.

SECTION 9. This ordinance shall be in full force and effect beginning January 1, 1996, after passage by the City-County Council, approval by the Mayor, and approval by the Tax Boards as required by law.

PROPOSAL NO. 504, 1995. The proposal is the annual budget for Indianapolis and Marion County for 1996. The President stated that there are some amendments to be offered, and the Council would hear those first.

Councillor McClamroch read the following motion:

Mr. President:

I move the City-County Annual Budget for 1996 Proposal No. 504 Section 1.01 (m) Department of Capital Asset Management, Finance and Administration Division, State Grants Fund in the amount of \$6,000,000, be amended to read: Office of the City Controller, State Grants Fund in the amount of \$6,000,000. I further move the expenditure of these funds be subject to the approval of the City Controller, Director of the Department of Capital Asset Management, and action by the full City-County Council.

Councillor Gilmer seconded the motion, and it passed by unanimous voice vote.

Councillor Rhodes read the following two motions:

Mr. President:

I move that the City-County Annual Budget for 1996, Proposal No. 504, Section 1.02 (cc) be amended by reducing the proposed Character 01 Personal Services budget by Two Hundred Forty-four Thousand Eight Hundred Thirty-three Dollars (\$244,833).

and

I move that the City-County Annual Budget for 1996, Proposal No. 504, Section 1.02 (u) be amended by reducing the proposed Character 01 Personal Services budget by One Hundred Sixty Thousand Two Hundred Eleven Dollars (\$160,211) and reducing Character 03 Other Charges and Services by One Hundred Twenty-six Thousand Four Hundred Fifty Dollars (\$126,450).

Councillor Borst seconded the two motions.

Councillor Rhodes stated that the first motion is for a reduction in the Probation Officers' salaries. This motion is basically a protest of the Indiana General Assembly mandating all counties on how many probation officers each county should hire and how much each county must pay their probation officers without any source of funding. The second motion would reduce salaries and contractual legal fees of the public defender by ten percent. This is also a protest motion of a system which lets a committee of lawyers tell the elected county councils how many public defenders should be hired and how much they should be paid without any source of funding. Councillor Rhodes suggested that the Indiana General Assembly pass enabling legislation that would allow counties to impose a fee of ten percent of the amounts charged by criminal lawyers to their clients who they defend in the county in order to remain licensed in that county.

Councillor Williams stated that she did not believe criminal lawyers should be singled out. Councillors West, Curry, Short, and Coughenour voiced their opposition to these motions. Councillor Rhodes' motion failed by a voice vote.

Councillor Moriarty Adams read the following motion:

Mr. President:

I move to divide the question on the adoption of Proposal No. 504, 1995 by first voting on the budget for the Cumulative Capital Development Funds for the Police Division of the Public Safety and Criminal Justice Committee's portion of the 1996 budget, second on the Budget for the Superior Court, and then on the balance of the proposal

This motion was seconded by Councillor Williams, and passed by unanimous voice vote.

Councillor Gray moved to divide the question on the adoption of Proposal No. 504, 1995 by voting on the budget for the Cumulative Capital Development Funds for the Fire Division of the Public Safety and Criminal Justice Committee's portion of the 1996 budget. This motion was seconded by Councillor Jimison, and it passed by consent.

Councillor Jimison voiced her concern over Community Centers of Indianapolis' ("CCI") portion of the budget. She said that performance standards were forced on CCI under threat of a complete withdrawal of funds by the City.

The President stated that there will four separate votes on Proposal No. 504, 1995:

- * Fire Division, City Cumulative Capital Development Fund--Councillor Gray stated that he will abstain on this vote.
- * Police Division, City Cumulative Capital Development Fund--Councillor Moriarty Adams said that she will abstain on this vote.
- * Marion County Superior Court. Councillor Williams stated that she will abstain on this vote.
- * The balance of the 1996 City-County Budget.

Proposal No. 504, 1995, Section 1.01, Department of Public Safety, Fire Division, City Cumulative Capital Development Fund, was adopted by the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

1 NAY: Jimison

1 NOT VOTING: Gray

1 ABSENT: Giffin

Proposal No. 504, 1995, Section 1.01, Department of Public Safety, Police Division, City Cumulative Capital Development Fund, was adopted by the following call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jones, McClamroch, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

1 NAY: Jimison

3 NOT VOTING: Gray, Moriarty Adams, Rhodes

1 ABSENT: Giffin

Proposal No. 504, 1995, Section 1.02, Marion County Superior Court, was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Dowden, Franklin, Gilmer, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West

1 NAY: Jimison

3 NOT VOTING: Curry, Gray, Williams

1 ABSENT: Giffin

The balance of Proposal No. 504, 1995, as amended, was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West

2 NAYS: Jimison, Williams

1 ABSENT: Giffin

Proposal No. 504, 1995, as amended, was retitled FISCAL ORDINANCE NO. 86, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 86, 1995
1996 ANNUAL BUDGET AND TAX LEVIES FOR
THE CONSOLIDATED CITY OF INDIANAPOLIS
AND FOR MARION COUNTY, INDIANA

A FISCAL ORDINANCE adopting the City-County Annual Budget for 1996, appropriating amounts necessary to defray expenses for the operation of every facet of government of the Consolidated City of Indianapolis and of Marion County, for the calendar and fiscal year beginning January 1, 1996, and ending December 31, 1996, establishing the method of financing such expenses by allocating anticipated revenues and expenses, establishing salaries, wages, and compensation rates and limitations with respect to certain employees of the City and County, and levying taxes and fixing the rates of taxation for the purpose of raising revenue to meet the necessary expenses of Indianapolis and Marion County Government and its institutions for the calendar year 1996.

TABLE OF CONTENTS

ARTICLE ONE
ANNUAL APPROPRIATIONS
FOR THE CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY

	Page
Section 1.01. Consolidated City Appropriations for 1996	7
(a) Office of the Mayor	7
(b) Internal Audit	7
(c) City-County Council	7
(d) Cable Communications Agency	8
(e) Office of Corporation Counsel	8
(f) Collection Division	8
(g) Office of the Controller	8
(h) Purchasing Division	8
(i) Office of Youth and Family Services	9
(j) Department of Administration	9
(k) Department of Metropolitan Development	10
(l) Department of Public Works	13
(m) Department of Capital Asset Management	15
(n) Department of Public Safety	17
(o) Department of Parks and Recreation	19
Section 1.02. Marion County Appropriations for 1996	20
(a) County Administrator	20
(b) County Auditor	20
(c) County Commissioners	22
(d) Clerk of the Circuit Court	22
(e) County Election Board	22
(f) Voters Registration	22
(g) County Coroner	22
(h) County Recorder	23
(i) County Treasurer	23
(j) County Surveyor	23
(k) County Assessor	23
(l) Center Township Assessor	24
(m) Decatur Township Assessor	24
(n) Franklin Township Assessor	24
(o) Lawrence Township Assessor	25
(p) Perry Township Assessor	25
(q) Pike Township Assessor	25
(r) Warren Township Assessor	26
(s) Washington Township Assessor	26
(t) Wayne Township Assessor	26
(u) Marion County Public Defender Agency	27
(v) Prosecuting Attorney	27

(w) Prosecutor's Child Support IV-D Agency	28
(x) Forensic Services Agency	28
(y) County Sheriff	28
(z) Community Corrections	29
(aa) Circuit Court	29
(bb) Marion County Justice Agency	29
(cc) Marion County Superior Court	30
(dd) Cooperative Extension Service	31
(ee) Marion County Children's Guardian Home	31
(ff) Information Services Agency	32
Section 1.03. Appropriations for City Sinking Funds for 1996	28
(a) City General Sinking Fund	33
(b) Redevelopment District Sinking Fund	33
(c) Sanitary District Sinking Fund	33
(d) Flood Control District Sinking Fund	33
(e) Metropolitan Thoroughfare District Sinking Fund	33
(f) Metropolitan Park District Sinking Fund	34

ARTICLE TWO
MISCELLANEOUS ANNUAL ESTIMATED REVENUES FOR THE
CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY

Section 2.01. Allocations and Estimates of Revenue of the Consolidated City	35
(a) Consolidated County Fund	36
(b) Federal Grants Fund	37
(c) Redevelopment General Fund	38
(d) Sanitation General Fund	39
(e) State Grants Fund	40
(f) Solid Waste Disposal Fund	41
(g) Flood Control General Fund	41
(h) Maintenance Operations General Fund	42
(i) Transportation General Fund	43
(j) Parking Meter Fund	44
(k) Park General Fund	45
(l) City Cumulative Capital Development Fund	46
(m) Consolidated County Cumulative Capital Development Fund	47
(n) City General Sinking Fund	47
(o) Redevelopment District Sinking Fund	48
(p) Sanitary District Sinking Fund	48
(q) Flood Control District Sinking Fund	49
(r) Metropolitan Thoroughfare District Sinking Fund	49
(s) Metropolitan Park District Sinking Fund	50
Section 2.02. Statement of Miscellaneous Revenues of Marion County	51
(a) County General Fund	51
(b) Property Reassessment Fund	53
(c) Surveyor's Corner Perpetuation Fund	53
(d) Supplemental Adult Probation Fees Fund	53
(e) Juvenile Probation Fees Fund	54
(f) Guardian Ad Litem Fund	54
(g) County User Fee (Diversion) Fund	54
(h) Alcohol and Drug Services Fund	55
(i) County Extradition Fund	55
(j) Law Enforcement Fund	55
(k) Drug Free Community Fund	56
(l) Sheriff's Continuing Education Fund	56
(m) Pre-Trial Diversion Program Fund	56
(n) Local Emergency Planning and Right To Know Fund	57
(o) Law Enforcement Equitable Share Fund	57

(p) State and Federal Grants Fund	57
(q) County Corrections Fund	58
(r) Community Corrections Home Detention Fund	58
(s) County Grants Fund	58
(t) Deferral Program Fee Fund	58
(u) Marion County Cumulative Capital Development Fund	59
(v) Supplemental Public Defender Fund	59
(w) County Recorder's Perpetuation Fund	59
(x) Information Services Internal Service Fund	60

ARTICLE THREE
ANNUAL APPROPRIATIONS, ESTIMATED REVENUE AND TAX LEVIES
OF THE CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY

Section 3.01. Estimates of Funds to be Raised and Proposed Tax Levies for the Consolidated City 61

(a) Consolidated County Fund	62
(b) Federal Grants Fund	63
(c) Redevelopment General Fund	64
(d) Sanitation General Fund	65
(e) State Grants Fund	66
(f) Solid Waste Disposal Fund	67
(g) Flood Control General Fund	68
(h) Maintenance Operations General Fund	69
(i) Transportation General Fund	70
(j) Parking Meter Fund	71
(k) Park General Fund	72
(l) City Cumulative Capital Development Fund	73
(m) Consolidated County Cumulative Capital Development Fund	74
(n) City General Sinking Fund	75
(o) Redevelopment District Sinking Fund	76
(p) Sanitary District Sinking Fund	77
(q) Flood Control District Sinking Fund	78
(r) Metropolitan Thoroughfare District Sinking Fund	79
(s) Metropolitan Park District Sinking Fund	80

Section 3.02. Estimates of Funds to be Raised and Proposed Tax Rates for Marion County Government 81

(a) County General Fund	81
(b) Property Reassessment Fund	82
(c) Surveyor's Corner Perpetuation Fund	83
(d) Supplemental Adult Probation Fees Fund	84
(e) Juvenile Probation Fees Fund	85
(f) Guardian Ad Litem Fund	86
(g) County User Fee (Diversion) Fund	87
(h) Alcohol and Drug Services Fund	88
(i) County Extradition Fund	89
(j) Law Enforcement Fund	90
(k) Drug Free Community Fund	91
(l) Sheriff's Continuing Education Fund	92
(m) Pre-Trial Diversion Program Fund	93
(n) Local Emergency Planning and Right To Know Fund	94
(o) Law Enforcement Equitable Share Fund	95
(p) State and Federal Grants Fund	96
(q) County Corrections Fund	96
(r) Community Corrections Home Detention Fund	96
(s) County Grants Fund	96
(t) Deferral Program Fee Fund	96
(u) Marion County Cumulative Capital Development Fund	97
(v) Supplemental Public Defender Fund	98
(w) County Recorder's Perpetuation Fund	99
(x) Information Services Internal Service Fund	100

ARTICLE FOUR
MISCELLANEOUS APPROPRIATIONS AND ALLOCATIONS

Section 4.01. State, Local and Federal Grants	101
Section 4.02. Appropriations for Certain Allocated Expenses	101
Section 4.03. Allocation of County Option Income Tax Revenues	102
Section 4.04. Requirement and Allocation of Payments in Lieu of Taxes Revenues	102
Section 4.05. Assistance to Division of Housing and Parks and Recreation Department	102
Section 4.06. Authorization of Dues and Memberships	103

ARTICLE FIVE
COMPENSATION OF OFFICERS AND EMPLOYEES

Section 5.01. Elected Officers	113
Section 5.02. Annual Compensation of Employees of Consolidated City and County	115
Section 5.03. No Vested Rights Created	115
Section 5.04. Enforcement	115

ARTICLE SIX
SUMMARIES OF APPROPRIATIONS AND TAX LEVIES

Section 6.01. Summary of Consolidated City Appropriations and Tax Levies	116
Section 6.02. Summary of County Appropriations and Tax Levies	118

ARTICLE SEVEN
LEVY OF PROPERTY TAXES

Section 7.01. Tax Levies for Consolidated City and its Special Taxing Districts	119
(a) Consolidated County Fund	119
(b) Metropolitan Development General Fund	119
(c) City Sinking Fund	119
(d) Indianapolis Cumulative Capital Development Fund	119
(e) Special Taxing Districts' Funds	119
(1) Redevelopment General Fund	119
(2) Maintenance Operation General Fund	119
(3) Transportation Fund	119
(4) Park General Fund	119
(5) Redevelopment District Sinking Fund	119
(6) Sanitary District Sinking Fund	119
(7) Flood Control District Sinking Fund	119
(8) Park District Sinking Fund	120
(9) Metropolitan Thoroughfare Sinking Fund	120
Section 7.02. Tax Levies for Marion County Government for 1996	120
(a) Consolidated County Fund	120
(b) Marion County Cumulative Capital Development Fund	120
(c) County Bond Sinking Fund	118
(d) Property Reassessment Fund	118
Section 7.03. Tax Levies For Municipal Corporations	120
(a) Public Library Fund	120
(b) Public Library Sinking Fund	120

(c) Indianapolis Public Transportation Corporation General Fund	121
(d) Indianapolis Public Transportation Corporation Bond Sinking Fund	121
(e) Health and Hospital Fund	121
(f) Health and Hospital Bond Fund	121
(g) Health and Hospital Cumulative Building Fund	121

ARTICLE EIGHT
COLLECTION AND EFFECTIVE DATE

Section 8.01. Collection of Tax Levies	121
Section 8.02. Effective Date	121

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

ARTICLE ONE
ANNUAL BUDGET AND TAX LEVIES
OF THE CONSOLIDATED CITY OF INDIANAPOLIS

Section 1.01. Consolidated City Appropriations for 1996.

For the expenses of government of the Consolidated City of Indianapolis and its departments, divisions, officials, special taxing districts, and institutions for the fiscal year beginning January 1, 1996, and ending December 31, 1996, the sums of money set out in this Section are hereby appropriated out of the respective funds (as established and allocated in Section 2.01), namely the Consolidated County Fund, Federal Grant Fund, State Grant Fund, Redevelopment General Fund, Sanitation General Fund, Solid Waste Disposal Fund, Flood Control General Fund, Maintenance Operations General Fund, Transportation General Fund, Parking Meter Fund, Park General Fund, City Cumulative Capital Development Fund and Consolidated County Cumulative Capital Development Fund for the purposes herein specified, subject to the laws governing the same. The sums so appropriated shall be held to include all such expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided by law.

	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
(a) OFFICE OF THE MAYOR	CONSOLIDATED COUNTY FUND	
1. Personal Services	917,626	917,626
2. Supplies	15,838	15,838
3. Other Services and Charges	184,253	184,253
4. Capital Outlay	11,500	11,500
5. Internal Charges	1,300	1,300
TOTAL	1,130,517	1,130,517
(b) INTERNAL AUDIT	CONSOLIDATED COUNTY FUND	
1. Personal Services	485,296	485,296
2. Supplies	3,100	3,100
3. Other Services and Charges	62,409	62,409
4. Capital Outlay	6,400	6,400
5. Internal Charges	2,000	2,000
TOTAL	559,205	559,205
(c) CITY-COUNTY COUNCIL	CONSOLIDATED COUNTY FUND	
1. Personal Services	1,061,577	1,061,577
2. Supplies	17,401	17,401
3. Other Services and Charges	498,706	498,706
4. Capital Outlay	32,150	32,150
5. Internal Charges	0	0
TOTAL	1,609,834	1,609,834

(d) CABLE COMMUNICATIONS AGENCY		CONSOLIDATED COUNTY FUND	
1. Personal Services	396,119	396,119	
2. Supplies	13,893	13,893	
3. Other Services and Charges	267,137	267,137	
4. Capital Outlay	81,952	81,952	
5. Internal Charges	<u>2,195</u>	<u>2,195</u>	
TOTAL	761,296	761,296	
(e) OFFICE OF CORPORATION COUNSEL		CONSOLIDATED COUNTY FUND	
1. Personal Services	1,814,234	1,814,234	
2. Supplies	11,932	11,932	
3. Other Services and Charges	1,057,876	1,057,876	
4. Capital Outlay	76,413	76,413	
5. Internal Charges	<u>(858,740)</u>	<u>(858,740)</u>	
TOTAL	2,101,715	2,101,715	
(f) COLLECTION DIVISION		CONSOLIDATED COUNTY FUND	
1. Personal Services	289,265	289,265	
2. Supplies	9,270	9,270	
3. Other Services and Charges	600,880	600,880	
4. Capital Outlay	7,515	7,515	
5. Internal Charges	<u>0</u>	<u>0</u>	
TOTAL	906,930	906,930	
(g) OFFICE OF THE CONTROLLER		CONSOLIDATED COUNTY FUND	
1. Personal Services	1,424,637	1,492,802	
2. Supplies	48,700	48,700	
3. Other Services and Charges	2,429,207	2,429,207	
4. Capital Outlay	40,800	40,800	
5. Internal Charges	<u>4,055</u>	<u>4,055</u>	
TOTAL	3,947,399	4,015,564	
OFFICE OF THE CONTROLLER		SANITATION GENERAL FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges	4,400,000	4,400,000	
4. Capital Outlay			
5. Internal Charges			
TOTAL	4,400,000	4,400,000	
(h) PURCHASING DIVISION		CONSOLIDATED COUNTY FUND	
1. Personal Services	790,311	790,311	
2. Supplies	13,830	13,830	
3. Other Services and Charges	707,236	707,236	
4. Capital Outlay	24,100	24,100	
5. Internal Charges	<u>(103,068)</u>	<u>(103,068)</u>	
TOTAL	1,432,409	1,432,409	
(i) OFFICE OF YOUTH AND FAMILY SERVICES		CONSOLIDATED COUNTY FUND	
1. Personal Services	306,860	306,860	
2. Supplies	7,500	7,500	
3. Other Services and Charges	668,729	668,729	
4. Capital Outlay	13,400	13,400	
5. Internal Charges	<u>8,592</u>	<u>8,592</u>	
TOTAL	1,005,081	1,005,081	
OFFICE OF YOUTH AND FAMILY SERVICES		FEDERAL GRANTS FUND	
1. Personal Services	47,355	47,355	
2. Supplies	0	0	
3. Other Services and Charges	1,329,528	1,329,528	
4. Capital Outlay	0	0	
5. Internal Charges	<u>0</u>	<u>0</u>	
TOTAL	1,376,883	1,376,883	

(j) DEPARTMENT OF ADMINISTRATION		CONSOLIDATED COUNTY FUND	
Administrative Services Division			
1. Personal Services	1,571,042	1,627,227	
2. Supplies	28,888	28,888	
3. Other Services and Charges	1,118,711	1,118,711	
4. Capital Outlay	52,864	52,864	
5. Internal Charges	<u>(722,900)</u>	<u>(722,900)</u>	
TOTAL	2,048,605	2,104,790	
DEPARTMENT OF ADMINISTRATION		CONSOLIDATED COUNTY FUND	
Human Resources Division			
1. Personal Services	1,063,369	1,063,369	
2. Supplies	25,686	25,686	
3. Other Services and Charges	518,026	518,026	
4. Capital Outlay	37,362	37,362	
5. Internal Charges	<u>(242,647)</u>	<u>(242,647)</u>	
TOTAL	1,401,796	1,401,796	
DEPARTMENT OF ADMINISTRATION		CONSOLIDATED COUNTY FUND	
Real Estate Division			
1. Personal Services	96,795	96,795	
2. Supplies	300	300	
3. Other Services and Charges	2,200	2,200	
4. Capital Outlay	0	0	
5. Internal Charges	<u>0</u>	<u>0</u>	
TOTAL	99,295	99,295	
DEPARTMENT OF ADMINISTRATION		CONSOLIDATED COUNTY FUND	
Equal Opportunity Division			
1. Personal Services	223,844	228,373	
2. Supplies	4,848	4,848	
3. Other Services and Charges	112,071	107,642	
4. Capital Outlay	8,700	8,700	
5. Internal Charges	<u>3,000</u>	<u>3,000</u>	
TOTAL	352,463	352,563	
DEPARTMENT OF ADMINISTRATION		FEDERAL GRANTS FUND	
Workforce Development Division			
1. Personal Services	110,579	110,579	
2. Supplies	900	900	
3. Other Services and Charges	798,755	798,755	
4. Capital Outlay	500	500	
5. Internal Charges	<u>5,447</u>	<u>5,447</u>	
TOTAL	916,181	916,181	
DEPARTMENT OF ADMINISTRATION		CONSOLIDATED COUNTY FUND	
Indianapolis Fleet Services Division			
1. Personal Services	3,336,120	3,336,120	
2. Supplies	5,928,700	5,928,700	
3. Other Services and Charges	3,197,740	3,197,740	
4. Capital Outlay	80,000	80,000	
5. Internal Charges	<u>(10,755,176)</u>	<u>(10,755,176)</u>	
TOTAL	1,787,384	1,787,384	
(k) DEPARTMENT OF METROPOLITAN DEVELOPMENT		METROPOLITAN DEVELOPMENT	
Financial Services Division		GENERAL FUND	
1. Personal Services	0	0	
2. Supplies	0	0	
3. Other Services and Charges	0	0	
4. Capital Outlay	0	0	
5. Internal Charges	<u>0</u>	<u>0</u>	
TOTAL	0	0	

DEPARTMENT OF METROPOLITAN DEVELOPMENT		CONSOLIDATED COUNTY FUND	
Planning Division			
1. Personal Services	666,772	704,833	
2. Supplies	10,255	10,255	
3. Other Services and Charges	242,236	242,236	
4. Capital Outlay	15,922	15,922	
5. Internal Charges	<u>7,978</u>	<u>7,978</u>	
TOTAL	943,163	981,224	
DEPARTMENT OF METROPOLITAN DEVELOPMENT		CONSOLIDATED COUNTY FUND	
Neighborhood and Development Service Division			
1. Personal Services	1,609,855	1,643,305	
2. Supplies	31,878	31,878	
3. Other Services and Charges	481,879	481,879	
4. Capital Outlay	67,289	67,289	
5. Internal Charges	<u>149,603</u>	<u>149,603</u>	
TOTAL	2,340,504	2,373,954	
DEPARTMENT OF METROPOLITAN DEVELOPMENT		FEDERAL GRANTS FUND	
Planning Division			
1. Personal Services	611,212	798,087	
2. Supplies	10,276	20,276	
3. Other Services and Charges	1,516,985	1,305,110	
4. Capital Outlay	22,574	37,574	
5. Internal Charges	<u>7,023</u>	<u>7,023</u>	
TOTAL	2,168,070	2,168,070	
DEPARTMENT OF METROPOLITAN DEVELOPMENT		STATE GRANTS FUND	
Planning Division			
1. Personal Services	44,500	44,500	
2. Supplies			
3. Other Services and Charges	<u>7,500</u>	<u>7,500</u>	
4. Capital Outlay			
5. Internal Charges			
TOTAL	52,000	52,000	
DEPARTMENT OF METROPOLITAN DEVELOPMENT		CONSOLIDATED COUNTY FUND	
Historic Preservation Commission			
1. Personal Services	53,466	56,112	
2. Supplies	869	869	
3. Other Services and Charges	37,357	37,357	
4. Capital Outlay	255	255	
5. Internal Charges	<u>2,500</u>	<u>2,500</u>	
TOTAL	94,447	97,093	
DEPARTMENT OF METROPOLITAN DEVELOPMENT		FEDERAL GRANTS FUND	
Historic Preservation Commission			
1. Personal Services	124,752	124,752	
2. Supplies	2,027	2,027	
3. Other Services and Charges	45,629	45,629	
4. Capital Outlay	595	595	
5. Internal Charges			
TOTAL	<u>173,003</u>	<u>173,003</u>	
DEPARTMENT OF METROPOLITAN DEVELOPMENT		CONSOLIDATED COUNTY FUND	
Administrative Services			
1. Personal Services	482,472	482,472	
2. Supplies	10,209	10,209	
3. Other Services and Charges	213,229	213,229	
4. Capital Outlay	12,600	12,600	
5. Internal Charges	<u>10,100</u>	<u>10,100</u>	
TOTAL	728,610	728,610	

DEPARTMENT OF METROPOLITAN DEVELOPMENT		REDEVELOPMENT GENERAL	
Administrative Services		FUND	
1. Personal Services	130,756	130,756	
2. Supplies	2,650	2,650	
3. Other Services and Charges	76,502	76,502	
4. Capital Outlay	4,500	4,500	
5. Internal Charges	<u>20,739</u>	<u>20,739</u>	
TOTAL	235,147	235,147	
DEPARTMENT OF METROPOLITAN DEVELOPMENT		FEDERAL GRANTS FUND	
Administrative Services			
1. Personal Services	69,999	69,999	
2. Supplies			
3. Other Services and Charges	<u>1,518,000</u>	<u>1,518,000</u>	
4. Capital Outlay			
5. Internal Charges			
TOTAL	1,587,999	1,587,999	
DEPARTMENT OF METROPOLITAN DEVELOPMENT		CONSOLIDATED COUNTY FUND	
Division of Economic and Housing Development			
1. Personal Services	162,365	106,180	
2. Supplies	500	500	
3. Other Services and Charges	1,060,132	1,185,132	
4. Capital Outlay	3,500	3,500	
5. Internal Charges	<u>15,000</u>	<u>15,000</u>	
TOTAL	1,241,497	1,310,312	
DEPARTMENT OF METROPOLITAN DEVELOPMENT		REDEVELOPMENT GENERAL FUND	
Division of Economic and Housing Development			
1. Personal Services	130,200	130,200	
2. Supplies	2,560	2,560	
3. Other Services and Charges	775,202	775,202	
4. Capital Outlay	9,700	9,700	
5. Internal Charges	643	643	
TOTAL	918,305	918,305	
DEPARTMENT OF METROPOLITAN DEVELOPMENT		FEDERAL GRANTS FUND	
Division of Economic and Housing Development			
1. Personal Services	551,158	574,026	
2. Supplies	6,340	6,340	
3. Other Services and Charges	18,358,591	18,358,591	
4. Capital Outlay	2,524,600	2,524,600	
5. Internal Charges	<u>39,357</u>	<u>39,357</u>	
TOTAL	21,480,046	21,502,914	
DEPARTMENT OF METROPOLITAN DEVELOPMENT		CONSOLIDATED COUNTY FUND	
Permits Division			
1. Personal Services	1,565,173	1,598,623	
2. Supplies	30,245	30,245	
3. Other Services and Charges	781,729	781,729	
4. Capital Outlay	265,275	265,275	
5. Internal Charges	<u>66,433</u>	<u>66,433</u>	
TOTAL	2,708,855	2,742,305	
(I) DEPARTMENT OF PUBLIC WORKS		CONSOLIDATED COUNTY FUND	
Administration			
1. Personal Services	669,562	669,562	
2. Supplies	205,400	205,400	
3. Other Services and Charges	2,033,285	2,033,285	
4. Capital Outlay	163,100	163,100	
5. Internal Charges	<u>(2,651,347)</u>	<u>(2,651,347)</u>	
TOTAL	420,000	420,000	

DEPARTMENT OF PUBLIC WORKS		CONSOLIDATED COUNTY FUND	
Contract Compliance Division			
1. Personal Services			
2. Supplies			
3. Other Services and Charges	1,055,000		1,055,000
4. Capital Outlay			
5. Internal Charges	20,000		34,500
TOTAL	1,075,000		1,089,500
DEPARTMENT OF PUBLIC WORKS		SANITATION GENERAL FUND	
Contract Compliance Division			
1. Personal Services	477,246		469,746
2. Supplies	11,930		11,930
3. Other Services and Charges	22,211,926		22,211,926
4. Capital Outlay	5,700		5,700
5. Internal Charges	2,394,143		2,394,143
TOTAL	25,100,945		25,093,445
DEPARTMENT OF PUBLIC WORKS		FLOOD GENERAL FUND	
Contract Compliance Division			
1. Personal Services	89,428		89,428
2. Supplies	5,000		5,000
3. Other Services and Charges	14,656		14,656
4. Capital Outlay	250		250
5. Internal Charges	9,292		9,292
TOTAL	118,626		118,626
DEPARTMENT OF PUBLIC WORKS		TRANSPORTATION GENERAL FUND	
Contract Compliance Division			
1. Personal Services	53,104		51,104
2. Supplies	1,850		1,850
3. Other Services and Charges	400,048		400,048
4. Capital Outlay	0		0
5. Internal Charges	49,118		49,118
TOTAL	504,120		502,120
DEPARTMENT OF PUBLIC WORKS		SOLID WASTE DISPOSAL FUND	
Solid Waste Management Division			
1. Personal Services	452,984		452,984
2. Supplies	115,109		115,109
3. Other Services and Charges	8,390,282		8,390,282
4. Capital Outlay	37,500		37,500
5. Internal Charges	117,915		117,915
TOTAL	9,113,790		9,113,790
DEPARTMENT OF PUBLIC WORKS		CONSOLIDATED COUNTY	
Solid Waste Management Division			
1. Personal Services			
2. Supplies			
3. Other Services and Charges	10,000		10,000
4. Capital Outlay			
5. Internal Charges			
TOTAL	10,000		10,000
DEPARTMENT OF PUBLIC WORKS		MAINTENANCE OPERATIONS	
Maintenance Operations Division		GENERAL FUND	
1. Personal Services	17,132,114		16,907,114
2. Supplies	4,377,031		4,377,031
3. Other Services and Charges	3,955,112		4,180,112
4. Capital Outlay	3,810,957		3,810,957
5. Internal Charges	4,197,023		4,197,023
TOTAL	33,472,237		33,472,237

DEPARTMENT OF PUBLIC WORKS		CONSOLIDATED COUNTY FUND	
Environmental Resources Management Division			
1. Personal Services	1,112,740	1,112,740	
2. Supplies	54,925	54,925	
3. Other Services and Charges	366,718	366,718	
4. Capital Outlay	136,297	136,297	
5. Internal Charges	<u>240,409</u>	<u>225,909</u>	
TOTAL	1,911,089	1,896,589	
DEPARTMENT OF PUBLIC WORKS		SANITATION GENERAL FUND	
Environmental Resources Management Division			
1. Personal Services	746,122	746,122	
2. Supplies	45,400	45,400	
3. Other Services and Charges	858,048	858,048	
4. Capital Outlay	32,145	32,145	
5. Internal Charges	<u>(104,703)</u>	<u>(104,703)</u>	
TOTAL	1,577,012	1,577,012	
(m) DEPARTMENT OF CAPITAL ASSET MANAGEMENT		TRANSPORTATION GENERAL FUND	
Finance and Administration Division			
1. Personal Services	2,134,627	2,134,627	
2. Supplies	278,060	278,060	
3. Other Services and Charges	1,907,675	1,907,675	
4. Capital Outlay	416,230	416,230	
5. Internal Charges	<u>(4,736,592)</u>	<u>(4,736,592)</u>	
TOTAL	0	0	
DEPARTMENT OF CAPITAL ASSET MANAGEMENT		SANITATION GENERAL FUND	
Finance and Administration Division			
1. Personal Services	0	0	
2. Supplies	_____	_____	
3. Other Services and Charges	_____	_____	
4. Capital Outlay	_____	_____	
5. Internal Charges	_____	_____	
TOTAL	0	0	
DEPARTMENT OF CAPITAL ASSET MANAGEMENT		SANITATION GENERAL FUND	
Asset Management Division			
1. Personal Services	1,597,824	1,597,824	
2. Supplies	46,800	46,800	
3. Other Services and Charges	782,922	782,922	
4. Capital Outlay	6,386,709	6,386,709	
5. Internal Charges	<u>1,662,158</u>	<u>1,662,158</u>	
TOTAL	10,476,413	10,476,413	
DEPARTMENT OF CAPITAL ASSET MANAGEMENT		SOLID WASTE DISPOSAL FUND	
Asset Management Division			
1. Personal Services	_____	_____	
2. Supplies	_____	_____	
3. Other Services and Charges	<u>1,667,522</u>	<u>1,667,522</u>	
4. Capital Outlay	_____	_____	
5. Internal Charges	_____	_____	
TOTAL	1,667,522	1,667,522	
DEPARTMENT OF CAPITAL ASSET MANAGEMENT		FLOOD GENERAL FUND	
Asset Management Division			
1. Personal Services	555,486	555,486	
2. Supplies	3,000	3,000	
3. Other Services and Charges	313,300	313,300	
4. Capital Outlay	4,000	4,000	
5. Internal Charges	<u>352,416</u>	<u>352,416</u>	
TOTAL	1,228,202	1,228,202	

DEPARTMENT OF CAPITAL ASSET MANAGEMENT TRANSPORTATION GENERAL FUND		
Asset Management Division		
1. Personal Services	2,952,993	2,952,993
2. Supplies	78,350	78,350
3. Other Services and Charges	7,904,765	7,904,765
4. Capital Outlay	15,362,053	15,362,053
5. Internal Charges	<u>2,767,870</u>	<u>2,767,870</u>
TOTAL	29,066,031	29,066,031
DEPARTMENT OF CAPITAL ASSET MANAGEMENT ARTERIAL ROADS Asset Management Division AND STREETS FUND		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	_____	_____
4. Capital Outlay	_____	_____
5. Internal Charges	_____	_____
TOTAL	_____	_____
DEPARTMENT OF CAPITAL ASSET MANAGEMENT PARKING METER FUND		
Asset Management Division		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	400,000	400,000
4. Capital Outlay	422,689	422,689
5. Internal Charges	_____	_____
TOTAL	822,689	822,689
DEPARTMENT OF CAPITAL ASSET MANAGEMENT CITY CUMULATIVE CAPITAL Asset Management Division DEVELOPMENT FUND		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	452,848	452,848
4. Capital Outlay	3,956,820	3,956,820
5. Internal Charges	_____	_____
TOTAL	4,409,668	4,409,668
DEPARTMENT OF CAPITAL ASSET MANAGEMENT CONSOLIDATED COUNTY Asset Management Division CUMULATIVE CAPITAL DEVELOPMENT FUND		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	193,900	193,900
4. Capital Outlay	1,306,100	1,306,100
5. Internal Charges	_____	_____
TOTAL	1,500,000	1,500,000
OFFICE OF THE CITY CONTROLLER STATE GRANTS FUND		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	6,000,000	6,000,000
4. Capital Outlay	_____	_____
5. Internal Charges	_____	_____
TOTAL	6,000,000	6,000,000
DEPARTMENT OF CAPITAL ASSET MANAGEMENT PARKING METER FUND		
Parking Management Division		
1. Personal Services	359,866	359,866
2. Supplies	8,200	8,200
3. Other Services and Charges	424,500	424,500
4. Capital Outlay	87,700	87,700
5. Internal Charges	<u>406,500</u>	<u>406,500</u>
TOTAL	1,286,766	1,286,766

(n) DEPARTMENT OF PUBLIC SAFETY		CONSOLIDATED COUNTY FUND	
Administration			
1. Personal Services	383,753	383,753	
2. Supplies	3,500	3,500	
3. Other Services and Charges	78,002	78,002	
4. Capital Outlay	5,800	5,800	
5. Internal Charges	<u>6,000</u>	<u>6,000</u>	
TOTAL	477,055	477,055	
DEPARTMENT OF PUBLIC SAFETY		CONSOLIDATED COUNTY FUND	
Emergency Management Planning Division			
1. Personal Services	162,450	162,450	
2. Supplies	6,940	6,940	
3. Other Services and Charges	131,044	131,044	
4. Capital Outlay	38,070	38,070	
5. Internal Charges	<u>13,106</u>	<u>13,106</u>	
TOTAL	351,610	351,610	
DEPARTMENT OF PUBLIC SAFETY		CITY CUMULATIVE CAPITAL	
Emergency Management Planning Division		DEVELOPMENT FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay	0	0	
5. Internal Charges			
TOTAL	0	0	
DEPARTMENT OF PUBLIC SAFETY		CITY CUMULATIVE CAPITAL	
Police Division		DEVELOPMENT FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges	0	0	
4. Capital Outlay	3,287,175	3,287,175	
5. Internal Charges			
TOTAL	3,287,175	3,287,175	
DEPARTMENT OF PUBLIC SAFETY		CITY CUMULATIVE CAPITAL	
Fire Division		DEVELOPMENT FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay	1,809,518	1,809,518	
5. Internal Charges			
TOTAL	1,809,518	1,809,518	
DEPARTMENT OF PUBLIC SAFETY		CONSOLIDATED COUNTY FUND	
Weights and Measures Division			
1. Personal Services	257,879	257,879	
2. Supplies	1,000	1,000	
3. Other Services and Charges	21,113	21,113	
4. Capital Outlay	17,400	17,400	
5. Internal Charges	<u>10,105</u>	<u>10,105</u>	
TOTAL	307,497	307,497	
DEPARTMENT OF PUBLIC SAFETY		CONSOLIDATED COUNTY FUND	
Animal Control Division			
1. Personal Services	926,382	926,382	
2. Supplies	32,800	32,800	
3. Other Services and Charges	186,640	186,640	
4. Capital Outlay	63,780	63,780	
5. Internal Charges	<u>115,037</u>	<u>(1,018,602)</u>	
TOTAL	1,324,639	191,000	

(o) DEPARTMENT OF PARKS AND RECREATION		PARK GENERAL FUND	
1. Personal Services		10,317,779	10,317,779
2. Supplies		1,345,550	1,345,550
3. Other Services and Charges		6,004,138	6,004,138
4. Capital Outlay		1,412,587	1,412,587
5. Internal Charges		<u>1,234,693</u>	<u>1,234,693</u>
TOTAL		20,314,747	20,314,747
DEPARTMENT OF PARKS AND RECREATION		CONSOLIDATED COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges		325,000	325,000
4. Capital Outlay		2,925,000	2,925,000
5. Internal Charges			
TOTAL		<u>3,250,000</u>	<u>3,250,000</u>
DEPARTMENT OF PARKS AND RECREATION		CITY CUMULATIVE CAPITAL IMPROVEMENT	
1. Personal Services			
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay		3,000,000	3,000,000
5. Internal Charges			
TOTAL		<u>3,000,000</u>	<u>3,000,000</u>
DEPARTMENT OF PARKS AND RECREATION		FEDERAL GRANTS FUND	
1. Personal Services		45,000	45,000
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay			
5. Internal Charges			
TOTAL		<u>45,000</u>	<u>45,000</u>

Section 1.02. Marion County Appropriations for 1996.

For the expenses of the Marion County government and its institutions for the calendar year beginning January 1, 1996, and ending December 31, 1996, the sums of money set out in this section are hereby appropriated and ordered set apart out of the County General Fund, Property Reassessment Fund, Surveyor's Corner Perpetuation Fund, Supplemental Adult Probation Fees Fund, Juvenile Probation Fees Fund, Guardian Ad Litem Fund, County User Fee Fund, Alcohol and Drug Services Fund, County Extradition Fund, Law Enforcement Fund, Law Enforcement Equitable Share Fund, Supplemental Public Defender Fund, County Recorder's Perpetuation Fund, Information Services Internal Services Fund and Cumulative Capital Development Fund; for the purposes herein specified, subject to the laws governing the same. The sums so appropriated shall be held to include all such expenditures authorized to be made during said calendar year, unless otherwise expressly stipulated and provided by law.

	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
(a) COUNTY ADMINISTRATOR - Dept. 01		COUNTY GENERAL FUND
1. Personal Services		
2. Supplies	260	260
3. Other Services and Charges	753,873	753,873
4. Capital Outlay		
TOTAL	<u>754,133</u>	<u>754,133</u>

(b) COUNTY AUDITOR - Dept. 02		COUNTY GENERAL FUND	
1. Personal Services	15,272,192	16,104,174	
2. Supplies	24,627	24,627	
3. Other Services and Charges	13,054,987	13,054,987	
4. Capital Outlay	<u>121,727</u>	<u>121,727</u>	
TOTAL	28,473,533	29,305,515	
COUNTY AUDITOR		PROPERTY REASSESSMENT FUND	
1. Personal Services	284,342	284,342	
2. Supplies	3,100	3,100	
3. Other Services and Charges	163,592	163,592	
4. Capital Outlay	<u>6,000</u>	<u>6,000</u>	
TOTAL	457,034	457,034	
COUNTY AUDITOR		COUNTY USER FEE FUND	
1. Personal Services	180,153	180,153	
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay			
TOTAL	180,153	180,153	
COUNTY AUDITOR		COUNTY EXTRADITION FUND	
1. Personal Services	6,456	6,456	
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay			
TOTAL	6,456	6,456	
COUNTY AUDITOR		LOCAL EMERGENCY PLANNING & RIGHT TO KNOW FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges	67,500	67,500	
4. Capital Outlay			
TOTAL	67,500	67,500	
COUNTY AUDITOR		SURVEYOR'S CORNER PERPETUATION FUND	
1. Personal Services	1,983	1,983	
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay			
TOTAL	1,983	1,983	
COUNTY AUDITOR		PRE-TRIAL DIVERSION PROGRAM FUND	
1. Personal Services	20,092	0	
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay			
TOTAL	20,092	0	
COUNTY AUDITOR		SUPPLEMENTAL ADULT PROBATION FEES FUND	
1. Personal Services	265,879	265,879	
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay			
TOTAL	265,879	265,879	

COUNTY AUDITOR		JUVENILE PROBATION FEES FUND	
1. Personal Services	6,182	6,182	
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay			
TOTAL	6,182	6,182	
COUNTY AUDITOR		LAW ENFORCEMENT FUND	
1. Personal Services	83,668	83,668	
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay			
TOTAL	83,668	83,668	
COUNTY AUDITOR		ALCOHOL AND DRUG SERVICES FUND	
1. Personal Services	46,922	46,922	
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay			
TOTAL	46,922	46,922	
(c) COUNTY COMMISIONERS - Dept. 03		COUNTY GENERAL FUND	
1. Personal Services	42,315	42,315	
2. Supplies	1,087	1,087	
3. Other Services and Charges	35,817	35,817	
4. Capital Outlay	613	613	
TOTAL	79,832	79,832	
(d) CLERK OF THE CIRCUIT COURT - Dept. 04		COUNTY GENERAL FUND	
1. Personal Services	2,135,689	2,135,689	
2. Supplies	52,229	52,229	
3. Other Services and Charges	1,435,116	1,435,116	
4. Capital Outlay	33,802	33,802	
TOTAL	3,656,836	3,656,836	
(e) COUNTY ELECTION BOARD - Dept. 05		COUNTY GENERAL FUND	
1. Personal Services	1,100,914	1,100,914	
2. Supplies	37,400	37,400	
3. Other Services and Charges	867,767	867,767	
4. Capital Outlay	28,895	28,895	
TOTAL	2,034,976	2,034,976	
(f) VOTER'S REGISTRATION - Dept. 06		COUNTY GENERAL FUND	
1. Personal Services	477,242	477,242	
2. Supplies	35,000	35,000	
3. Other Services and Charges	146,852	146,852	
4. Capital Outlay	303,861	303,861	
TOTAL	962,955	962,955	
(g) COUNTY CORONER - Dept. 07		COUNTY GENERAL FUND	
1. Personal Services	340,386	340,386	
2. Supplies	22,180	22,180	
3. Other Services and Charges	656,170	653,631	
4. Capital Outlay	97	2,636	
TOTAL	1,018,833	1,018,833	
(h) COUNTY RECORDER -Dept. 08		COUNTY GENERAL FUND	
1. Personal Services	647,247	647,247	
2. Supplies	18,802	18,802	
3. Other Services and Charges	263,689	263,689	
4. Capital Outlay	6,268	6,268	
TOTAL	936,006	936,006	

COUNTY RECORDER	COUNTY RECORDER'S PERPETUATION FUND	
1. Personal Services		
2. Supplies		
3. Other Services and Charges	18,540	18,540
4. Capital Outlay	<u>179,408</u>	<u>179,408</u>
TOTAL	197,948	197,948
(i) COUNTY TREASURER - Dept. 09	COUNTY GENERAL FUND	
1. Personal Services	797,610	797,610
2. Supplies	23,049	23,049
3. Other Services and Charges	1,221,251	1,221,251
4. Capital Outlay	<u>44,500</u>	<u>44,500</u>
TOTAL	2,086,410	2,086,410
(j) COUNTY SURVEYOR - Dept. 10	COUNTY GENERAL FUND	
1. Personal Services	320,190	320,190
2. Supplies	8,500	8,500
3. Other Services and Charges	107,266	107,266
4. Capital Outlay	<u>20,142</u>	<u>20,142</u>
TOTAL	456,098	456,098
COUNTY SURVEYOR	SURVEYOR'S CORNER PERPETUATION FUND	
1. Personal Services	5,000	5,000
2. Supplies	2,500	2,500
3. Other Services and Charges		
4. Capital Outlay	<u>38,000</u>	<u>38,000</u>
TOTAL	45,500	45,500
(k) COUNTY ASSESSOR - Dept. 15	COUNTY GENERAL FUND	
1. Personal Services	344,803	344,803
2. Supplies	5,377	5,377
3. Other Services and Charges	94,069	94,069
4. Capital Outlay	<u>2,716</u>	<u>2,716</u>
TOTAL	446,965	446,965
COUNTY ASSESSOR	PROPERTY REASSESSMENT FUND	
1. Personal Services	88,862	88,862
2. Supplies	13,500	13,500
3. Other Services and Charges	317,400	317,400
4. Capital Outlay	<u>20,000</u>	<u>20,000</u>
TOTAL	439,762	439,762
(l) CENTER TOWNSHIP ASSESSOR - Dept. 16	COUNTY GENERAL FUND	
1. Personal Services	876,557	876,557
2. Supplies	13,735	13,735
3. Other Services and Charges	208,554	208,554
4. Capital Outlay	<u>3,066</u>	<u>3,066</u>
TOTAL	1,101,912	1,101,912
CENTER TOWNSHIP ASSESSOR	PROPERTY REASSESSMENT FUND	
1. Personal Services	62,220	62,220
2. Supplies	5,000	5,000
3. Other Services and Charges	25,000	25,000
4. Capital Outlay	<u>5,000</u>	<u>5,000</u>
TOTAL	97,220	97,220

(m) DECATUR TOWNSHIP ASSESSOR - Dept. 17		COUNTY GENERAL FUND	
1. Personal Services	169,113	169,113	
2. Supplies	3,696	3,696	
3. Other Services and Charges	46,959	46,959	
4. Capital Outlay	<u>2,007</u>	<u>2,007</u>	
TOTAL	221,775	221,775	
DECATUR TOWNSHIP ASSESSOR		PROPERTY REASSESSMENT FUND	
1. Personal Services	21,600	21,600	
2. Supplies	37,500	37,500	
3. Other Services and Charges	513,800	513,800	
4. Capital Outlay	<u>60,000</u>	<u>60,000</u>	
TOTAL	632,900	632,900	
(n) FRANKLIN TOWNSHIP ASSESSOR - Dept. 18		COUNTY GENERAL FUND	
1. Personal Services	187,531	187,531	
2. Supplies	3,323	3,323	
3. Other Services and Charges	76,942	84,082	
4. Capital Outlay			
TOTAL	<u>267,796</u>	<u>274,936</u>	
FRANKLIN TOWNSHIP ASSESSOR		PROPERTY REASSESSMENT FUND	
1. Personal Services	51,000	51,000	
2. Supplies	300	300	
3. Other Services and Charges	2,600	2,800	
4. Capital Outlay	<u>5,000</u>	<u>5,000</u>	
TOTAL	58,900	59,100	
(o) LAWRENCE TOWNSHIP ASSESSOR - Dept. 19		COUNTY GENERAL FUND	
1. Personal Services	274,060	274,060	
2. Supplies	6,600	6,600	
3. Other Services and Charges	86,824	86,824	
4. Capital Outlay			
TOTAL	<u>367,484</u>	<u>367,484</u>	
LAWRENCE TOWNSHIP ASSESSOR		PROPERTY REASSESSMENT FUND	
1. Personal Services	142,800	142,800	
2. Supplies	4,700	500	
3. Other Services and Charges	22,500	9,200	
4. Capital Outlay	<u>6,800</u>	<u>14,000</u>	
TOTAL	176,800	166,500	
(p) PERRY TOWNSHIP ASSESSOR - Dept. 20		COUNTY GENERAL FUND	
1. Personal Services	266,504	266,504	
2. Supplies	5,705	5,705	
3. Other Services and Charges	82,357	82,357	
4. Capital Outlay	<u>3,467</u>	<u>3,467</u>	
TOTAL	358,033	358,033	
PERRY TOWNSHIP ASSESSOR		PROPERTY REASSESSMENT FUND	
1. Personal Services	145,860	145,860	
2. Supplies	6,400	6,400	
3. Other Services and Charges	37,000	37,000	
4. Capital Outlay	<u>10,000</u>	<u>10,000</u>	
TOTAL	199,260	199,260	
(q) PIKE TOWNSHIP ASSESSOR - Dept. 21		COUNTY GENERAL FUND	
1. Personal Services	276,250	276,250	
2. Supplies	4,283	4,283	
3. Other Services and Charges	116,231	116,231	
4. Capital Outlay			
TOTAL	<u>396,764</u>	<u>396,764</u>	

PIKE TOWNSHIP ASSESSOR		PROPERTY REASSESSMENT FUND	
1. Personal Services	88,256	88,256	
2. Supplies	2,249	2,249	
3. Other Services and Charges	19,000	19,000	
4. Capital Outlay	<u>7,000</u>	<u>7,000</u>	
TOTAL	116,505	116,505	
(r) WARREN TOWNSHIP ASSESSOR - Dept. 22		COUNTY GENERAL FUND	
1. Personal Services	349,432	349,432	
2. Supplies	7,825	7,825	
3. Other Services and Charges	151,104	151,104	
4. Capital Outlay	<u>4,387</u>	<u>4,387</u>	
TOTAL	512,748	512,748	
WARREN TOWNSHIP ASSESSOR		PROPERTY REASSESSMENT FUND	
1. Personal Services	135,152	135,152	
2. Supplies	15,215	15,215	
3. Other Services and Charges	18,500	18,500	
4. Capital Outlay	<u>3,500</u>	<u>3,500</u>	
TOTAL	172,367	172,367	
(s) WASHINGTON TOWNSHIP ASSESSOR - Dept. 23		COUNTY GENERAL FUND	
1. Personal Services	468,195	468,195	
2. Supplies	7,030	7,030	
3. Other Services and Charges	123,089	123,089	
4. Capital Outlay			
TOTAL	<u>598,314</u>	<u>598,314</u>	
WASHINGTON TOWNSHIP ASSESSOR		PROPERTY REASSESSMENT FUND	
1. Personal Services	144,839	144,839	
2. Supplies	3,900	3,900	
3. Other Services and Charges	36,720	36,720	
4. Capital Outlay	<u>11,760</u>	<u>11,760</u>	
TOTAL	197,219	197,219	
(t) WAYNE TOWNSHIP ASSESSOR - Dept. 24		COUNTY GENERAL FUND	
1. Personal Services	426,020	426,020	
2. Supplies	2,477	2,477	
3. Other Services and Charges	148,056	151,199	
4. Capital Outlay			
TOTAL	<u>576,553</u>	<u>579,696</u>	
WAYNE TOWNSHIP ASSESSOR		PROPERTY REASSESSMENT FUND	
1. Personal Services	159,271	159,271	
2. Supplies	8,373	8,373	
3. Other Services and Charges	48,738	48,738	
4. Capital Outlay	<u>21,556</u>	<u>21,556</u>	
TOTAL	237,938	237,938	
(u) MARION COUNTY PUBLIC DEFENDER AGENCY - Dept. 29		COUNTY GENERAL FUND	
1. Personal Services	1,796,842	1,815,136	
2. Supplies	30,078	30,078	
3. Other Services and Charges	2,157,927	2,163,477	
4. Capital Outlay	<u>35,000</u>	<u>35,000</u>	
TOTAL	4,019,847	4,043,691	
MARION COUNTY PUBLIC DEFENDER AGENCY		PRE-TRIAL DIVERSION PROGRAM FUND	
1. Personal Services	18,294	0	
2. Supplies			
3. Other Services and Charges	<u>5,550</u>	<u>0</u>	
4. Capital Outlay			
TOTAL	<u>23,844</u>	<u>0</u>	

MARION COUNTY PUBLIC DEFENDER AGENCY		SUPPLEMENTAL PUBLIC DEFENDER FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges	358,840		358,840
4. Capital Outlay			
TOTAL	358,840		358,840
(v) PROSECUTING ATTORNEY - Dept. 30		COUNTY GENERAL FUND	
1. Personal Services	3,335,351		3,373,583
2. Supplies	82,765		82,765
3. Other Services and Charges	1,011,726		939,122
4. Capital Outlay	5,140		5,140
TOTAL	4,434,982		4,400,610
PROSECUTING ATTORNEY		COUNTY USER FEE FUND	
1. Personal Services	750,000		750,000
2. Supplies	15,000		15,000
3. Other Services and Charges	70,000		70,000
4. Capital Outlay	50,000		50,000
TOTAL	885,000		885,000
PROSECUTING ATTORNEY		PRE-TRIAL DIVERSION PROGRAM FUND	
1. Personal Services	38,232		0
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay			
TOTAL	38,232		0
(w) PROSECUTOR'S CHILD SUPPORT IV-D AGENCY - Dept. 31		COUNTY GENERAL FUND	
1. Personal Services	1,753,836		1,753,836
2. Supplies	74,152		74,152
3. Other Services and Charges	627,407		700,011
4. Capital Outlay	53,001		53,001
TOTAL	2,508,396		2,581,000
(x) FORENSIC SERVICES AGENCY - Dept. - 32		COUNTY GENERAL FUND	
1. Personal Services	1,366,676		1,676,676
2. Supplies	110,000		110,000
3. Other Services and Charges	251,316		251,316
4. Capital Outlay	89,217		89,217
TOTAL	1,817,209		2,127,209
FORENSIC SERVICES AGENCY		LAW ENFORCEMENT FUND	
1. Personal Services	32,946		32,946
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay			
TOTAL	32,946		32,946
(y) COUNTY SHERIFF - Dept. 33		COUNTY GENERAL FUND	
1. Personal Services	28,840,240		31,707,294
2. Supplies	1,620,557		1,637,127
3. Other Services and Charges	8,565,019		8,659,169
4. Capital Outlay	10,000		37,150
TOTAL	39,035,816		42,040,740
COUNTY SHERIFF		COUNTY EXTRADITION FUND	
1. Personal Services	25,882		25,882
2. Supplies	7,000		7,000
3. Other Services and Charges	85,000		85,000
4. Capital Outlay			
TOTAL	117,882		117,882

COUNTY SHERIFF		CUMULATIVE CAPITAL DEVELOPMENT FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges	495,000		495,000
4. Capital Outlay	<u>1,515,000</u>		<u>1,515,000</u>
TOTAL	2,010,000		2,010,000
COUNTY SHERIFF - Dept. 33		SHERIFF'S CONTINUING EDUCATION FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges	80,000		80,000
4. Capital Outlay			
TOTAL	80,000		80,000
(z) COMMUNITY CORRECTIONS - Dept. 34		COUNTY GENERAL FUND	
1. Personal Services	38,623		38,623
2. Supplies	7,350		7,350
3. Other Services and Charges	419,596		419,596
4. Capital Outlay	<u>32,200</u>		<u>32,200</u>
TOTAL	497,769		497,769
(aa) CIRCUIT COURT - Dept. 35		COUNTY GENERAL FUND	
1. Personal Services	247,040		247,040
2. Supplies	1,960		1,960
3. Other Services and Charges	55,500		55,500
4. Capital Outlay	<u>1,094</u>		<u>1,094</u>
TOTAL	305,594		305,594
(bb) MARION COUNTY JUSTICE AGENCY - Dept. 37		COUNTY GENERAL FUND	
1. Personal Services	988,894		988,894
2. Supplies	12,201		12,201
3. Other Services and Charges	667,314		667,314
4. Capital Outlay	<u>7,312</u>		<u>7,312</u>
TOTAL	1,675,721		1,675,721
MARION COUNTY JUSTICE AGENCY		LAW ENFORCEMENT FUND	
1. Personal Services	300,000		300,000
2. Supplies	135,000		135,000
3. Other Services and Charges	1,187,500		1,187,500
4. Capital Outlay	<u>350,000</u>		<u>350,000</u>
TOTAL	1,972,500		1,972,500
MARION COUNTY JUSTICE AGENCY		LAW ENFORCEMENT EQUITABLE SHARE FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay	<u>603,000</u>		<u>603,000</u>
TOTAL	603,000		603,000
MARION COUNTY JUSTICE AGENCY		DRUG FREE COMMUNITY FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges	731,900		731,900
4. Capital Outlay			
TOTAL	731,900		731,900

(cc) MARION COUNTY SUPERIOR COURT - Dept. 39		COUNTY GENERAL FUND	
1. Personal Services	12,876,886	12,900,730	
2. Supplies	707,116	707,938	
3. Other Services and Charges	4,546,671	4,553,002	
4. Capital Outlay	<u>484,849</u>	<u>486,740</u>	
TOTAL	18,615,522	18,648,410	
MARION COUNTY SUPERIOR COURT		ALCOHOL AND DRUG SERVICES FUND	
1. Personal Services	188,108	188,108	
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay			
TOTAL	188,108	188,108	
MARION COUNTY SUPERIOR COURT		PRE-TRIAL DIVERSION PROGRAM FUND	
1. Personal Services	23,844	0	
2. Supplies	822	0	
3. Other Services and Charges	6,331	0	
4. Capital Outlay	<u>1,891</u>	<u>0</u>	
TOTAL	32,888	0	
MARION COUNTY SUPERIOR COURT		CUMULATIVE CAPITAL DEVELOPMENT FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges	1,809,000	1,809,000	
4. Capital Outlay			
TOTAL	1,809,000	1,809,000	
MARION COUNTY SUPERIOR COURT		JUVENILE PROBATION FEES FUND	
1. Personal Services	24,783	24,783	
2. Supplies	10,000	10,000	
3. Other Services and Charges	40,000	40,000	
4. Capital Outlay	<u>20,000</u>	<u>20,000</u>	
TOTAL	94,783	94,783	
MARION COUNTY SUPERIOR COURT		COUNTY USER FEES FUND	
1. Personal Services	37,601	37,601	
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay			
TOTAL	37,601	37,601	
MARION COUNTY SUPERIOR COURT		GUARDIAN AD LITEM FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges	60,300	60,300	
4. Capital Outlay			
TOTAL	60,300	60,300	
MARION COUNTY SUPERIOR COURT		SUPPLEMENTAL ADULT PROBATION FEES FUND	
1. Personal Services	1,065,900	1,065,900	
2. Supplies	17,000	17,000	
3. Other Services and Charges	122,415	122,415	
4. Capital Outlay	<u>32,000</u>	<u>32,000</u>	
TOTAL	1,237,315	1,237,315	
(dd) COOPERATIVE EXTENSION SERVICE - Dept. 81		COUNTY GENERAL FUND	
1. Personal Services	195,555	195,555	
2. Supplies	38,452	38,452	
3. Other Services and Charges	606,354	606,354	
4. Capital Outlay	<u>8,411</u>	<u>8,411</u>	
TOTAL	848,772	848,772	

(ee) MARION COUNTY CHILDREN'S GUARDIAN HOME Dept. 85		COUNTY GENERAL FUND
1. Personal Services	1,042,519	1,042,519
2. Supplies	222,783	222,783
3. Other Services and Charges	163,088	163,088
4. Capital Outlay	<u>2,115</u>	<u>2,115</u>
TOTAL	1,430,505	1,430,505
(ff) INFORMATION SERVICES AGENCY - Dept. 12		INFORMATION SERVICES
		INTERNAL SERVICES FUND
1. Personal Services	2,781,498	2,781,498
2. Supplies	81,350	81,350
3. Other Services and Charges	5,753,229	5,753,229
4. Capital Outlay	<u>1,076,097</u>	<u>1,076,097</u>
TOTAL	9,692,174	9,692,174
COUNTY AUDITOR		INFORMATION SERVICES
		INTERNAL SERVICES FUND
1. Personal Services	713,820	713,820
2. Supplies	_____	_____
3. Other Services and Charges	_____	_____
4. Capital Outlay	_____	_____
TOTAL	713,820	713,820

Section 1.03. Appropriations for City Sinking Funds for 1996.

For purposes of paying the principal and interest due on the outstanding bonded and other indebtedness of the Consolidated City and its special taxing districts, there are hereby appropriated for 1996 the respective sums hereinafter set forth for the respective funds:

	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
(a) CITY GENERAL SINKING FUND		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	1,631,035	1,631,035
4. Capital Outlay	_____	_____
TOTAL	1,631,035	1,631,035
(b) REDEVELOPMENT DISTRICT SINKING FUND		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	423,775	423,775
4. Capital Outlay	_____	_____
TOTAL	423,775	423,775
(c) SANITARY DISTRICT SINKING FUND		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	16,217,200	16,217,200
4. Capital Outlay	_____	_____
TOTAL	16,217,200	16,217,200
(d) FLOOD CONTROL DISTRICT SINKING FUND		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	2,309,190	2,309,190
4. Capital Outlay	_____	_____
TOTAL	2,309,190	2,309,190

(e) METROPOLITAN THOROUGHFARE DISTRICT SINKING FUND		
1. Personal Services		
2. Supplies		
3. Other Services and Charges	7,598,648	7,598,648
4. Capital Outlay		
TOTAL	7,598,648	7,598,648
(g) METROPOLITAN PARK DISTRICT SINKING FUND		
1. Personal Services		
2. Supplies		
3. Other Services and Charges	2,453,154	2,453,154
4. Capital Outlay		
TOTAL	2,453,154	2,453,154

ARTICLE TWO
MISCELLANEOUS ANNUAL ESTIMATED REVENUES
FOR THE CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY

Section 2.01. Allocation and Estimates of the Consolidated City.

To defray the costs of government of the Consolidated City of Indianapolis and its special taxing districts in accordance with the appropriations stated in Sections 1.01 and 1.03 of this ordinance, the anticipated and estimated revenues of the Consolidated City and its special taxing districts are hereby allocated to the respective funds as herein stated; and in accordance with law and such allocations, the revenues, other than property taxes collectible in 1996, the portions of current balances and the revenues from taxation provided by the several levies fixed in Section 7.01 of this ordinance, are allocated to finance the amounts budgeted from each fund.

(a) CONSOLIDATED COUNTY FUND. The Consolidated County Fund for 1996 shall consist of all balances at the end of fiscal 1995 from the City General Fund, the Consolidated County Fund, the Consolidated County - Indianapolis Fleet Service Fund and the Consolidated County - Office of Youth and Family Services Fund, Air Pollution Fund, DMD General Fund, Unsafe Building Fund, Junk Vehicles Fund, Historic Preservation Fund and Imagis Fund, available for transfer into said fund, a portion of the revenue from the County Option Income Tax, a portion of the receipts of state taxes on alcoholic beverages, cigarettes and inheritances, amounts received for city licenses, Municipal Court fees, Controller's fees, and all other miscellaneous revenues derived from sources connected with the operation of those portions of city government whose appropriations are out of the Consolidated County Fund, and all amounts received by the levy of a rate of tax for this fund on all taxable property located in the county as shown in section 3.01. All monies designated for deposit into either City General Fund or Consolidated County Fund shall be deposited into the Consolidated County Fund, and shall be considered in compliance with the legal requirement for deposits.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES CONSOLIDATED COUNTY FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
County Option Income Tax	301,145	100,000
Other Taxes	726,282	1,586,553
State Distributions	1,315,906	3,549,055
ALL OTHER REVENUE		
Licenses & Permits	3,241,024	7,024,279
Charges for Services	1,367,500	3,089,658
Intergovernmental	1,821,366	230,000
Sale and Lease of Property	334,910	1,160,000
Fees for Service	454,500	519,000
Fines and Penalties	130,400	280,500
Miscellaneous	650,340	1,177,950
Other Financing	174,996	0
Intragovernmental	14,633,108	1,443,635
Transfers- In	2,130,592	3,298,545
Transfers -Out	<u>(707,280)</u>	<u>(4,402,469)</u>
TOTAL	26,574,789	18,886,706

(b) FEDERAL GRANT FUND. The Federal Grant Fund for 1996 shall consist of JTPA Grant Fund, CDBG Grant Fund, HUD Section 108 Fund, Rental Rehabilitation Grant, HOME Grant, TRUSTEE for the Secretary of HUD, HUD Section 108 Loan Repayment, DOT Grant, HOPE Grant, Other HUD Grant, DOD Grants, Other Federal Grants, Department of Justice Grants all balances at the end of fiscal 1995 available for transfer into said fund, all monies received by the City of Indianapolis from federal government for the Housing and Community Development Act of 1974, as amended, and any other federal grants, categoric grants, or special revenue sharing relating to these types of programs granted to the City of Indianapolis whose appropriations are out of the Community Services Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES FEDERAL GRANTS FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ALL OTHER REVENUE		
State Distributions	5,314	9,945
Fees for Service		0
Intergovernmental	22,863,591	27,232,403
Miscellaneous	0	0
Intragovernmental	150,000	421,000
Transfers In		<u>206,148</u>
TOTAL	23,018,905	27,869,496

(c) REDEVELOPMENT GENERAL FUND. The Redevelopment General Fund for 1996 shall consist of Redevelopment Genral Fund, Barrington HOTIF Fund, Brookville HOTIF Fund, and all balances at the end of fiscal 1995 available for transfer into said fund, all fees, charges and other receipts derived from sources connected with the operation of the Neighborhood & Development Services Division of the Department of Metropolitan Development, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed for this fund, and all amounts received by the levy of a rate of tax for this fund on all taxable property located in the Redevelopment Special Taxing District as shown in Section 3.01.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES REDEVELOPMENT GENERAL FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Other Taxes	27,967	61,312
ALL OTHER REVENUE		
Intergovernmental	11,943,063	0
Sale and Lease of Property	10,082	594,583
Fees for Service	750	0
Miscellaneous	<u>10,000</u>	<u>14,228</u>
TOTAL	11,991,862	670,123

(d) SANITATION GENERAL FUND. The Sanitation General Fund for 1996 shall consist of Sanitation Liquid Waste General Fund, Sanitation Pilot Reserve Fund, and Sanitation General Improvement Fund all balances at the end of fiscal 1995 available for transfer into said fund, and all fees, charges, and miscellaneous revenues derived from sources connected with the operation of the Sanitation Division of the Department of Public Works, all of which does not involve a general tax levy for said fund.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES SANITATION GENERAL FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ALL OTHER REVENUE		
Licenses & Permits	305,000	640,000
Charges for Services	25,595,100	51,812,210
Sale and Lease of Property	0	125,000
Fines and Penalties	45,000	100,000
Miscellaneous	1,397,220	2,760,500
Transfers In	0	4,200,000
Transfers Out	(8,933,087)	(17,842,756)
Total Transfers	<u>(8,933,087)</u>	<u>(13,642,756)</u>
TOTAL	18,409,233	41,794,954

(e) STATE GRANT FUND. The State Grant Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, and all Intergovernmental derived from sources connected with the operation of State Grant Fund, all of which does not involve a general tax levy for said fund.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES STATE GRANT FUNDS FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
Intergovernmental		6,052,000
TOTAL		6,052,000

(f) SOLID WASTE DISPOSAL FUND. The Solid Waste Disposal Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, and all fees, charges, and miscellaneous revenues derived from sources connected with the construction and financing of the Resource Recovery Facility, all of which does not involve a general tax levy for said fund.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES SOLID WASTE DISPOSAL FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
ALL OTHER REVENUE		
Charges for Services	9,810,000	11,810,000
Sale and Lease of Property	76,576	166,425
Miscellaneous	92,000	180,000
Transfers In	4,125,614	0
TOTAL	14,104,190	12,156,425

(g) FLOOD CONTROL GENERAL FUND. The Flood Control General Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, all miscellaneous revenue derived from sources connected with the operation of the Flood Control Division of the Department of Public Works, all of which does not involve a general tax levy for said fund.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES FLOOD CONTROL GENERAL FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
ALL OTHER REVENUE		
Licenses & Permits	90,000	188,000
Charges for Services	0	0
Sale and Lease of Property	17,186	145,000
Fines and Penalties	74,029	77,000
Miscellaneous	45,000	90,000
Transfers In	200,000	2,145,236
Transfers-Out	0	(1,541,537)
Total Transfers	200,000	603,699
TOTAL	426,215	1,103,699

(h) MAINTENANCE OPERATIONS GENERAL FUND. The Maintenance Operation General Control Fund for 1996 shall consist of Operations Maintenance Fund, Operation Flood Fund, Operation Sanitation Fund, and Operation Transportation Fund, of funds transferred from Sanitation General Fund, Flood Control General Fund and Transportation General Fund, and all fees, licenses, permits, charges, and miscellaneous revenues derived from sources connected with the operation of the Maintenance Operation Division of the Department of Public Works, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, and all amounts received by the levy of a rate of tax for this fund on all the taxable property located in the Flood Control Special Taxing District as shown in Section 3.01.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES MAINTENANCE OPERATIONS GENERAL FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Other Taxes	105,482	230,427
ALL OTHER REVENUE		
Miscellaneous	0	100,000
Transfers In	18,341,124	33,472,237
Transfers Out	(200,000)	(2,145,236)
Total Transfers	<u>18,141,124</u>	<u>31,327,001</u>
TOTAL	18,246,606	31,657,428

(I) TRANSPORTATION GENERAL FUND. The Transportation Fund for 1996 shall consist of the Transportation General Fund, Motor Vehicle Fund, Local Road and Street Fund and shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, amounts to be received from the State of Indiana during the fiscal year 1996 and allocated to said City of Indianapolis out of the revenues derived from taxes on gasoline, cigarettes, motor vehicles, and other sources connected therewith, miscellaneous revenues from license fees, federal highway funds, and other operations of the Department of Transportation, County Auto Excise Surtaxes and County Wheel Taxes, all of which does not involve a property tax levy for said fund.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES TRANSPORTATION GENERAL FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Wheel Tax	5,302,960	6,695,000
State Distributions	21,535,859	40,219,344
ALL OTHER REVENUE		
Licenses & Permits	149,650	360,000
Charges for Services	286,600	435,200
Intergovernmental	1,000,000	400,000
Sale and Lease of Property	0	0
Fees for Service	50	100
Miscellaneous	718,000	1,265,000
Transfers In	0	0
Transfers Out	(10,820,537)	(19,719,128)
Total Transfers	<u>(10,820,537)</u>	<u>(19,719,128)</u>
TOTAL	18,172,582	29,655,516

(j) **PARKING METER FUND.** The Parking Meter Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, all amounts to be received from parking meter receipts during the year 1996, those revenues from licenses and permit fees connected with special parking privileges, all of which does not involve a property tax levy for said fund.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES PARKING METER FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ALL OTHER REVENUE		
Charges for Services	995,000	1,975,000
Fines & Penalties	150,000	1,400,000
Miscellaneous	70,000	140,000
Transfers Out	<u>(494,021)</u>	<u>(1,697,081)</u>
TOTAL	720,979	1,817,919

(k) **PARK GENERAL FUND.** The Park General Fund for 1996 shall consist of Park General Fund, Park Land Fund and Park Golf Fund and all balances at the end of fiscal 1995 available for transfer into said fund, all fees, charges, and other miscellaneous revenue derived from sources connected with the operation of the Department of Parks and Recreation, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, and all amounts received by the levy of a rate of tax for this fund on all the taxable property located within the Park Special Taxing District as shown in Section 6.01.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES PARK GENERAL FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Other Taxes	718,360	1,582,919
ALL OTHER REVENUE		
Charges for Services	10,300	29,470
Intergovernmental	131,567	81,800
Sale and Lease of Property	101,400	328,500
Fees for Service	1,752,300	4,068,305
Miscellaneous	77,079	535,350
Transfers In	407,000	480,000
Transfers Out	(250,000)	0
Total Transfers	<u>157,000</u>	<u>480,000</u>
TOTAL	2,948,006	7,106,344

(l) CITY CUMULATIVE CAPITAL DEVELOPMENT FUND. The City Cumulative Capital Development Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, those distribution of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, and all amounts received by a levy of a rate of tax for this fund on all taxable property located within the consolidated city as shown in Section 3.01.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES CITY CUMULATIVE CAPITAL DEVELOPMENT FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Other Taxes	582,740	1,277,317
State Distributions	0	0
ALL OTHER REVENUE		
Sale & Leases	0	491,500
Miscellaneous	140,000	250,000
Transfer In	<u>0</u>	<u>0</u>
TOTAL	722,740	2,018,817

(m) CONSOLIDATED COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND. The Consolidated County Cumulative Capital Development Fund for 1996 shall consist of all balances at the end of fiscal 1995 available for transfer into said fund, and all distributions from the County of the County Cumulative Capital Development Fund, and all other miscellaneous revenues derived from said Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES CONSOLIDATED COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ALL OTHER REVENUE		
Intergovernmental	2,298,431	4,656,653
Miscellaneous	<u>65,000</u>	<u>130,000</u>
TOTAL	2,363,431	4,786,653

(n) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES CITY GENERAL SINKING FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Other Taxes	84,288	169,455
ALL OTHER REVENUE		
Miscellaneous	<u>5,000</u>	<u>10,000</u>
TOTAL	89,288	179,455

(o) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES REDEVELOPMENT DISTRICT SINKING FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Other Taxes	19,033	34,897
ALL OTHER REVENUE		
Miscellaneous	<u>3,000</u>	<u>6,000</u>
TOTAL	22,033	40,897

(p) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES SANITARY DISTRICT SINKING FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Other Taxes	815,452	1,718,520
ALL OTHER REVENUE		
Charges for Services	10,000	225,000
Miscellaneous	<u>90,000</u>	<u>150,000</u>
TOTAL	915,452	2,093,520

(q) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES FLOOD CONTROL DISTRICT SINKING FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Other Taxes	173,023	234,976
ALL OTHER REVENUE		
Miscellaneous	<u>15,000</u>	<u>30,000</u>
TOTAL	188,023	264,976

(r) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES METROPOLITAN THOROUGHFARE DISTRICT SINKING FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Other Taxes	295,182	812,398
ALL OTHER REVENUE		
Miscellaneous	<u>35,000</u>	<u>70,000</u>
TOTAL	330,182	882,398

(s) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES METROPOLITAN PARK DISTRICT SINKING FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Other Taxes	114,654	263,200
ALL OTHER		
Miscellaneous	7,000	15,000
TOTAL	121,654	278,200

Section 2.02. Statement of Miscellaneous Revenues of Marion County.

In accordance with law and as hereby allocated, the revenues (other than property taxes) anticipated in financing the budget appropriations set forth in Sections 1.02 and 1.04 of this ordinance shall be financed by the use of the miscellaneous receipts of said funds, portions of current balances, and by the revenues from taxation provided from the several tax levies fixed in Section 7.02 of this ordinance.

(a) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES COUNTY GENERAL FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
TAXES		
Marion County Liens	11,133	20,000
Gross Income Taxes	6,100	6,100
Treasurer's Surplus	1,015,000	345,000
County Option Income	10,888,072	22,588,575
License Excise	3,265,353	7,170,000
Motor Vehicle Highway Tax	400,000	
Financial Institutions Tax	513,017	1,048,690
Emergency 911	216,442	492,180
TOTAL TAXES	16,315,117	31,670,545
FEES		
Marriage License	57,240	80,000
Domestic Relations	39,126	65,000
Resident Resources	4,365	
Photocopying Fees	14,777	22,050
Auditor's Fees	50,000	100,000
Rent City-County Building Tenants		27,000
Clerk's Miscellaneous	10,000	20,000
Court Cost	860,000	1,900,000
County Coroner Fees	6,000	10,000
County Surveyor Fees	1,500	3,000
County Recorder Fees	1,125,415	1,800,000
Incident Fees	12,500	25,000
Demand Fees	90,000	139,000

September 25, 1995

Tax Search Fees	2,000	3,500
Ten Percent Cash Bond	16,050	26,000
County Fines	4,000	7,500
Service by Sheriff		25,000
Support/Maintenance Docket Fees	82,000	222,000
Document Fees	204,000	290,000
Late Surrender Fees	39,000	60,000
Rent of County Land	374,000	4,464
Deferral Program Fees	130,000	160,000
Franchise Towing Fees	100,000	200,000
TOTAL FEES	3,221,973	5,189,514
FEDERAL		
Care of Federal Prisoners	600,000	1,200,000
TOTAL FEDERAL	600,000	1,200,000
STATE		
Title IV-A Reimbursement	400,000	400,000
Care of State Prisoners	160,000	320,000
Indirect Cost Recovery		135,000
Medicaid	69,840	
Medicare	87,315	
Title IV-D Reimbursement	989,285	2,322,855
Title IV-D Incentive	1,751,644	2,116,397
School Lunch Program	43,767	129,000
Rentals	3,800	4,600
Security Chargeback	236,984	449,738
Welfare Guardian Home	498,840	968,428
TOTAL STATE	4,241,475	6,846,018
LOCAL GOVERNMENT		
Transfer Out		(310,000)
City Share MCJA	70,000	70,000
City Share Dispatch		3,620,395
City Share East Wing Security		63,000
MECA Contract Reimbursement		32,500
Other Reimbursement	2,070	8,280
TOTAL LOCAL GOVERNMENT	72,070	3,484,175
INTEREST		
Investment Interest	2,879,956	5,448,528
TOTAL INTEREST	2,879,956	5,448,528
OTHER		
Juvenile Court	1,480	2,880
Sale of Cars	250,000	300,000
Damages/Ins Settlements	32,500	75,000
Sale Other Property	2,500	5,000
Sheriff's Miscellaneous	87,500	175,000
Other	414,464	612,600
TOTAL OTHER	788,444	1,170,480
TOTAL REVENUE	28,119,035	55,009,260

(b) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES PROPERTY REASSESSMENT FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
SPECIAL TAXES		
Financial Institution Tax	10,267	20,980
Vehicle License Excise Tax	65,314	143,400
ALL OTHER REVENUE		
Interest	<u>60,000</u>	<u>80,000</u>
TOTAL	135,581	244,380

(c) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES SURVEYOR'S CORNER PERPETUATION FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
FEES		
Corner Perpetuation Fees	<u>16,500</u>	<u>30,000</u>
TOTAL	16,500	30,000

(d) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES SUPPLEMENTAL ADULT PROBATION FEES FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
FEES		
Criminal Probation Fees	409,452	960,000
Municipal Probation Fees	<u>235,000</u>	<u>420,000</u>
TOTAL	644,452	1,380,000

(e) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES JUVENILE PROBATION FEES FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
FEES		
Juvenile Probation Fees	<u>30,000</u>	<u>60,000</u>
TOTAL	30,000	60,000

(f) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES GUARDIAN AD LITEM FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
FEES		
Guardian Ad Litem Fees	<u>20,235</u>	<u>60,300</u>
TOTAL	20,235	60,300

(g) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES COUNTY USER FEE FUND (DIVERSION) FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
FEES		
Pre-Trial Diversion Fees	<u>438,000</u>	<u>897,000</u>
TOTAL	438,000	897,000

(h) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES ALCOHOL AND DRUG SERVICES FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
FEES		
Alcohol and Drug Service Fee	<u>90,000</u>	<u>240,000</u>
TOTAL	90,000	240,000

(i) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES COUNTY EXTRADITION FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
FEES		
Late Surrender Fees	<u>-0-</u>	<u>60,000</u>
TOTAL	-0-	60,000

(j) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES LAW ENFORCEMENT FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
FEEs		
Restitution and Forfeitures	<u>299,300</u>	<u>570,000</u>
TOTAL	299,300	570,000

(k) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES DRUG FREE COMMUNITY FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
FEEs		
Drug Free Community Fees	<u>10,000</u>	<u>-0-</u>
TOTAL	10,000	-0-

(l) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES SHERIFF'S CONTINUING EDUCATION FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
FEEs		
Law Enforcement Continuing Education Fees	<u>20,000</u>	<u>60,000</u>
TOTAL	20,000	60,000

(m) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES PRE-TRIAL DIVERSION PROGRAM FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
(Only prior year revenues are being budgeted)		

(n) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES LOCAL EMERGENCY PLANNING AND RIGHT TO KNOW FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
FEES		
State Fees	<u>35,000</u>	<u>35,000</u>
TOTAL	35,000	35,000

(o) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES LAW ENFORCEMENT EQUITABLE SHARE FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
FEES		
Restitution and Forfeitures	<u>247,500</u>	<u>500,000</u>
TOTAL	247,500	500,000

(p) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES STATE AND FEDERAL GRANTS FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
(Funds are appropriated according to grant fiscal year.)		

(q) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES COUNTY CORRECTIONS FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
ESTIMATED AMOUNTS TO BE RECEIVED	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
(Appropriated 8/1 - 7/31)		

(r) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES COMMUNITY CORRECTIONS HOME DETENTION FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
(Funds are appropriated according to grant fiscal year.)		

(s) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES COUNTY GRANTS FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
(Funds are appropriated according to grant fiscal year.)		

(t) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES DEFERRAL PROGRAM FEE FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
(Funds are appropriated as revenue becomes available.)		

(u) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES MARION COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
SPECIAL TAXES		
Financial Institution Tax	54,014	110,400
Vehicle License Excise Tax	343,758	754,900
Transfer to City of Indianapolis	<u>(2,298,431)</u>	<u>(4,656,653)</u>
TOTAL	(1,900,659)	(3,791,353)

(v) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES SUPPLEMENTAL PUBLIC DEFENDER FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
FEES		
Public Defender Fees	25,000	50,000
Transfer from County General Fund	<u>310,000</u>	<u>310,000</u>
TOTAL	335,000	360,000

(w) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES COUNTY RECORDER'S PERPETUATION FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
FEES		
County Recorder's Fees	<u>322,388</u>	<u>673,000</u>
TOTAL	322,388	673,000

(x) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY ESTIMATE OF MISCELLANEOUS REVENUE FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES INFORMATION SERVICES INTERNAL SERVICES FUND FOR THE PERIOD ENDING DECEMBER 31, 1995 AND DECEMBER 31, 1996		
	July 01, 1995 through Dec. 31, 1995	Jan. 01, 1996 through Dec. 31, 1996
ESTIMATED AMOUNTS TO BE RECEIVED		
ISA - Outside Agencies	199,001	298,813
ISA County	3,271,322	5,392,662
ISA City	2,316,991	2,989,999
Telephones - City	536,069	1,164,000
Telephones - County	305,744	554,400
Telephones - Other	<u>90,000</u>	<u>189,400</u>
TOTAL	6,719,127	10,589,274

ARTICLE THREE
ESTIMATED REVENUES AND TAX LEVIES OF THE
CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY

Section 3.01. Estimates of Funds to be Raised and Proposed Tax Levies for the Consolidated City.

In accordance with law and the appropriations and allocations of revenues herein before made, the tax rates for the respective funds are calculated as follows:

(a) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

CONSOLIDATED COUNTY FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	12,642,431	12,642,431
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	36,963,880	36,963,880
3. Additional appropriations necessary to be made July 1 to December 31 of present year	602,021	602,021
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	37,565,901	37,565,901
6. Remaining property taxes to be collected present year	6,586,839	6,586,839
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	27,039,201	26,574,787
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	33,626,040	33,161,626
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	8,702,570	8,238,156
10. Total budget estimate for January 1 to December 31 of incoming year	33,077,895	32,245,128
11. Miscellaneous revenue for January 1 to December 31 of incoming year	20,030,346	18,886,706
12. Property tax to be raised from January 1 to December 31 of incoming year	13,241,537	13,254,343
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	8,896,558	8,134,077
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.1742	0.1742
Proposed tax rate for incoming year	0.1742	0.1742

(b) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

FEDERAL GRANTS FUND

1996 NET ASSESSED VALUATION \$7,126,464,224

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	328,168	328,168
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	20,308,002	20,308,002
3. Additional appropriations necessary to be made July 1 to December 31 of present year	2,814,548	2,814,548
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	23,122,550	23,122,550
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	23,018,905	23,018,905
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	23,018,905	23,018,905
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	224,523	224,523
10. Total budget estimate for January 1 to December 31 of incoming year	27,747,182	27,770,050

11. Miscellaneous revenue for January 1 to December 31 of incoming year	27,869,496	27,869,496
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	346,838	323,970
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0000	0.0000
Proposed tax rate for incoming year	0.0000	0.0000

(c) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

REDEVELOPMENT GENERAL FUND

1996 NET ASSESSED VALUATION \$7,126,464,224

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	1,250,729	1,250,729
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	7,141,670	7,141,670
3. Additional appropriations necessary to be made July 1 to December 31 of present year	6,164,548	6,164,548
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	13,306,218	13,306,218
6. Remaining property taxes to be collected present year	254,999	254,999
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	11,991,862	11,991,862
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	12,246,861	12,246,861
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	191,372	191,372
10. Total budget estimate for January 1 to December 31 of incoming year	1,153,452	1,153,452
11. Miscellaneous revenue for January 1 to December 31 of incoming year	670,123	670,123
12. Property tax to be raised from January 1 to December 31 of incoming year	512,610	513,105
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	220,653	221,148
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0072	0.0072
Proposed tax rate for incoming year	0.0072	0.0072

(d) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

SANITATION GENERAL FUND

1996 NET ASSESSED VALUATION \$6,991,045,838

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	40,406,917	40,406,917
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	25,884,969	25,884,969
3. Additional appropriations necessary to be made July 1 to December 31 of present year	767,171	767,171

4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	26,652,140	26,652,140
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	18,409,233	18,409,233
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	18,409,233	18,409,233
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	32,164,010	32,164,010
10. Total budget estimate for January 1 to December 31 of incoming year	41,554,370	41,546,870
11. Miscellaneous revenue for January 1 to December 31 of incoming year	41,584,954	41,794,954
2. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	32,194,594	32,412,094
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0000	0.0000
Proposed tax rate for incoming year	0.0000	0.0000

(e) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

STATE GRANTS FUND

1996 NET ASSESSED VALUATION \$7,126,464,224

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	0	0
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)		
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	0	0
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	0	0
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	0	0
10. Total budget estimate for January 1 to December 31 of incoming year	6,052,000	6,052,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	6,052,000	6,052,000
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0000	0.0000
Proposed tax rate for incoming year	0.0000	0.0000

(f) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

SOLID WASTE DISPOSAL FUND

1996 NET ASSESSED VALUATION \$7,137,763,950

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	854,343	854,343
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	13,450,504	13,450,504
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	3,450,504	13,450,504
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	14,104,190	14,104,190
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	14,104,190	14,104,190
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,508,029	1,508,029
10. Total budget estimate for January 1 to December 31 of incoming year	10,781,312	10,781,312
11. Miscellaneous revenue for January 1 to December 31 of incoming year	12,156,425	12,156,425
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	2,883,142	2,883,142
4. Estimated December 31 cash balance, of incoming year	2,883,142	2,883,142
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.00	0.00
Proposed tax rate for incoming year	0.00	0.00

(g) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

FLOOD CONTROL GENERAL FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	1,030,971	1,030,971
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	428,247	428,247
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	428,247	428,247
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	426,215	426,215
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	426,215	426,215
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,028,939	1,028,939
10. Total budget estimate for January 1 to December 31 of incoming year	1,346,828	1,346,828

11. Miscellaneous revenue for January 1 to December 31 of incoming year	1,103,699	1,103,699
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	785,810	785,810
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0000	0.0000
Proposed tax rate for incoming year	0.0000	0.0000

(h) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

MAINTENANCE OPERATIONS GENERAL FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	1,564,452	1,564,452
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	20,698,142	20,698,142
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	20,698,142	20,698,142
6. Remaining property taxes to be collected present year	956,642	956,642
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	18,246,606	18,246,606
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	19,203,248	19,203,248
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	69,558	69,558
10. Total budget estimate for January 1 to December 31 of incoming year	33,472,237	33,472,237
11. Miscellaneous revenue for January 1 to December 31 of incoming year	31,657,428	31,657,428
12. Property tax to be raised from January 1 to December 31 of incoming year	1,923,139	1,924,999
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	177,889	179,748
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0253	0.0253
Proposed tax rate for incoming year	0.0253	0.0253

(i) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

TRANSPORTATION GENERAL FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	19,428,889	19,428,889
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	29,065,125	29,065,125
3. Additional appropriations necessary to be made July 1 to December 31 of present year		

4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	29,065,125	29,065,125
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	18,172,582	18,172,582
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	18,172,582	18,172,582
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	8,536,346	8,536,346
10. Total budget estimate for January 1 to December 31 of incoming year	29,570,151	29,568,151
11. Miscellaneous revenue for January 1 to December 31 of incoming year	29,655,516	29,655,516
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	8,621,710	8,623,711
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0000	0.0000
Proposed tax rate for incoming year	0.0000	0.0000

(j) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

PARKING METER FUND

1996 NET ASSESSED VALUATION \$7,126,464,224

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	2,751,364	2,751,364
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	3,138,687	3,138,687
3. Additional appropriations necessary to be made July 1 to December 31 of present year	(494,021)	(494,021)
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	2,644,666	2,644,666
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	720,979	720,979
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	720,979	720,979
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	827,677	827,677
10. Total budget estimate for January 1 to December 31 of incoming year	2,109,455	2,109,455
11. Miscellaneous revenue for January 1 to December 31 of incoming year	1,817,919	1,817,919
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	536,141	536,141
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0000	0.0000
Proposed tax rate for incoming year	0.0000	0.0000

(k) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX

PARK GENERAL FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	3,092,800	3,092,800
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	11,549,856	11,549,856
3. Additional appropriations necessary to be made July 1 to December 31 of present year	125,000	125,000
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	11,674,856	11,674,856
6. Remaining property taxes to be collected present year	6,514,996	6,514,996
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	2,948,006	2,948,006
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	9,463,002	9,463,002
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	880,946	880,946
10. Total budget estimate for January 1 to December 31 of incoming year	20,314,747	20,314,747
11. Miscellaneous revenue for January 1 to December 31 of incoming year	7,106,344	7,106,344
12. Property tax to be raised from January 1 to December 31 of incoming year	13,211,132	13,223,909
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	883,675	896,452
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.1723	0.1723
Proposed tax rate for incoming year	0.1738	0.1738

(l) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

CITY CUMULATIVE CAPITAL DEVELOPMENT FUND

1996 NET ASSESSED VALUATION \$7,126,464,224

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	8,539,181	8,539,181
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	13,608,295	13,608,295
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	13,608,295	13,608,295
6. Remaining property taxes to be collected present year	5,312,476	5,312,476
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	722,740	722,740
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	6,035,216	6,036,216
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	966,102	966,102
10. Total budget estimate for January 1 to December 31 of incoming year	12,146,361	12,506,361

11. Miscellaneous revenue for January 1 to December 31 of incoming year	2,018,817	2,018,817
12. Property tax to be raised from January 1 to December 31 of incoming year	10,679,368	10,689,696
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	1,517,926	1,168,255
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.1500	0.1500
Proposed tax rate for incoming year	0.1500	0.1500

(m) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

CONSOLIDATED COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	4,028,786	4,028,786
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	4,487,596	4,487,596
3. Additional appropriations necessary to be made July 1 to December 31 of present year	733,500	733,500
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	5,221,096	5,221,096
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	2,363,431	2,363,431
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	2,363,431	2,363,431
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,171,121	1,171,121
10. Total budget estimate for January 1 to December 31 of incoming year	4,750,000	4,750,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	4,786,653	4,786,653
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	1,207,774	1,207,774
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0000	0.0000
Proposed tax rate for incoming year	0.0000	0.0000

(n) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

CITY GENERAL SINKING FUND

1996 NET ASSESSED VALUATION \$7,126,464,224

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	635,309	635,309
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,415,599	1,415,599
3. Additional appropriations necessary to be made July 1 to December 31 of present year		

4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	1,415,599	1,415,599
6. Remaining property taxes to be collected present year	768,538	768,538
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	89,288	89,288
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	857,826	857,826
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	77,536	77,536
10. Total budget estimate for January 1 to December 31 of incoming year	1,631,035	1,631,035
11. Miscellaneous revenue for January 1 to December 31 of incoming year	179,455	179,455
12. Property tax to be raised from January 1 to December 31 of incoming year	1,416,796	1,418,166
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	42,752	44,122
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0217	0.0217
Proposed tax rate for incoming year	0.0199	0.0199

(o) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

REDEVELOPMENT DISTRICT SINKING FUND

1996 NET ASSESSED VALUATION \$7,126,464,224

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	215,352	215,352
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	404,040	404,040
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	404,040	404,040
6. Remaining property taxes to be collected present year	173,541	173,541
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	22,033	22,033
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	195,574	195,574
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	6,886	6,886
10. Total budget estimate for January 1 to December 31 of incoming year	423,775	423,775
11. Miscellaneous revenue for January 1 to December 31 of incoming year	40,897	40,897
12. Property tax to be raised from January 1 to December 31 of incoming year	398,696	399,082
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	22,704	23,090
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0049	0.0049
Proposed tax rate for incoming year	0.0056	0.0056

(p) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

SANITARY DISTRICT SINKING FUND

1996 NET ASSESSED VALUATION \$6,991,045,838

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	4,701,139	4,701,139
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	12,630,405	12,630,405
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	12,630,405	12,630,405
6. Remaining property taxes to be collected present year	7,146,187	7,146,187
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	915,452	915,452
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	8,061,639	8,061,639
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	132,372	132,372
10. Total budget estimate for January 1 to December 31 of incoming year	16,217,200	16,217,200
11. Miscellaneous revenue for January 1 to December 31 of incoming year	2,093,520	2,093,520
12. Property tax to be raised from January 1 to December 31 of incoming year	14,164,143	14,177,841
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	172,835	186,533
14. Estimated December 31 cash balance, of incoming year	_____	_____
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.2058	0.2058
Proposed tax rate for incoming year	0.2028	0.2028

(q) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

FLOOD CONTROL DISTRICT SINKING FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	851,626	851,626
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	2,460,476	2,460,476
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	2,460,476	2,460,476
6. Remaining property taxes to be collected present year	1,569,195	1,569,195
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	188,023	188,023
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,757,218	1,757,218
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	148,368	148,368
10. Total budget estimate for January 1 to December 31 of incoming year	2,309,190	2,309,190

11. Miscellaneous revenue for January 1 to December 31 of incoming year	264,976	264,976
12. Property tax to be raised from January 1 to December 31 of incoming year	1,961,146	1,963,043
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	65,300	67,197
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0415	0.0415
Proposed tax rate for incoming year	0.0258	0.0258

(r) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

METROPOLITAN THOROUGHFARE DISTRICT SINKING FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	1,504,319	1,504,319
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	4,429,594	4,429,594
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	4,429,594	4,429,594
6. Remaining property taxes to be collected present year	2,677,085	2,677,085
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	330,182	330,182
Estimated revenue to be received July 1 to December 31 (add lines 6-7)	3,007,267	3,007,267
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	81,992	81,992
10. Total budget estimate for January 1 to December 31 of incoming year	7,598,648	7,598,648
11. Miscellaneous revenue for January 1 to December 31 of incoming year	882,398	882,398
12. Property tax to be raised from January 1 to December 31 of incoming year	6,780,397	6,786,954
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	146,139	152,696
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0708	0.0708
Proposed tax rate for incoming year	0.0892	0.0892

(s) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

METROPOLITAN PARK DISTRICT SINKING FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATIONS \$ _____

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	502,947	502,947
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,612,140	1,612,140
3. Additional appropriations necessary to be made July 1 to December 31 of present year		

4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	1,612,140	1,612,140
6. Remaining property taxes to be collected present year	1,039,828	1,039,828
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	121,654	121,654
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,161,482	1,161,482
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	52,289	52,289
10. Total budget estimate for January 1 to December 31 of incoming year	2,453,154	2,453,154
11. Miscellaneous revenue for January 1 to December 31 of incoming year	278,200	278,200
12. Property tax to be raised from January 1 to December 31 of incoming year	2,196,788	2,198,912
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	74,122	76,247
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0275	0.0275
Proposed tax rate for incoming year	0.0289	0.0289

Section 3.02. Estimates of Funds to be Raised and Proposed Tax Rates for Marion County Government

The appropriations shall be financed from the revenues allocated in Section 2.02 and with the balances and receipts from property taxes calculated as shown in the following tables:

(a) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

COUNTY GENERAL FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	15,363,231	15,363,231
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	63,478,661	63,478,661
3. Additional appropriations necessary to be made July 1 to December 31 of present year	8,286,349	9,353,471
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	(173,736)	(173,736)
5. Total expenditures for current year (add lines 2-4)	71,591,274	72,658,396
6. Remaining property taxes to be collected present year	35,917,555	35,917,555
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	28,119,035	28,119,035
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	64,036,590	64,036,590
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	7,808,547	6,741,425
10. Total budget estimate for January 1 to December 31 of incoming year	120,498,089	124,750,242
11. Miscellaneous revenue for January 1 to December 31 of incoming year	50,861,937	55,009,260
12. Property tax to be raised from January 1 to December 31 of incoming year	72,205,144	75,240,982
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	5,377,539	5,308,547
13.a. Jail Expansion Reserve Fund	5,000,000	3,932,878
13.b. County General Fund Reserve Account		3,000,000

14. Estimated December 31 cash balance, of incoming year	10,377,539	12,241,425
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.9499	.9499
Proposed tax rate for incoming year	.9499	.9889

(b) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

PROPERTY REASSESSMENT FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	3,634,556	3,634,556
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	2,244,591	2,244,591
3. Additional appropriations necessary to be made July 1 to December 31 of present year	11,673	11,673
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	2,256,264	2,256,264
6. Remaining property taxes to be collected present year	718,427	718,427
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	135,581	135,581
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	854,008	854,008
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	2,232,300	2,232,300
10. Total budget estimate for January 1 to December 31 of incoming year	2,785,905	2,775,805
11. Miscellaneous revenue for January 1 to December 31 of incoming year	244,380	244,380
12. Property tax to be raised from January 1 to December 31 of incoming year	1,444,255	1,445,652
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	1,135,030	1,146,527
14. Estimated December 31 cash balance, of incoming year	1,135,030	1,146,527
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0190	.0190
Proposed tax rate for incoming year	.0190	.0190

(c) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

SURVEYOR'S CORNER PERPETUATION FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	83,298	83,298
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	5,000	5,000
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	5,000	5,000
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	16,500	16,500
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	16,500	16,500

9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	94,798	94,798
10. Total budget estimate for January 1 to December 31 of incoming year	47,483	47,483
11. Miscellaneous revenue for January 1 to December 31 of incoming year	30,000	30,000
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	77,315	77,315
14. Estimated December 31 cash balance, of incoming year	77,315	77,315
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(d) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

SUPPLEMENTAL ADULT PROBATION FEES FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	408,928	408,928
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	930,186	930,186
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	930,186	930,186
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	644,452	644,452
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	644,452	644,452
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	123,194	123,194
10. Total budget estimate for January 1 to December 31 of incoming year	1,503,194	1,503,194
11. Miscellaneous revenue for January 1 to December 31 of incoming year	1,380,000	1,380,000
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	-0-	-0-
14. Estimated December 31 cash balance, of incoming year	-0-	-0-
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(e) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

JUVENILE PROBATION FEES FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	129,365	129,365
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	86,679	86,679

3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	86,679	86,679
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	30,000	30,000
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	30,000	30,000
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	72,686	72,686
10. Total budget estimate for January 1 to December 31 of incoming year	100,965	100,965
11. Miscellaneous revenue for January 1 to December 31 of incoming year	60,000	60,000
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	31,721	31,721
14. Estimated December 31 cash balance, of incoming year	31,721	31,721
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(f) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

GUARDIAN AD LITEM FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	20,229	20,229
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	39,880	39,880
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3-0-	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	39,880	39,880
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	20,235	20,235
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	20,235	20,235
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	584	584
10. Total budget estimate for January 1 to December 31 of incoming year	60,300	60,300
11. Miscellaneous revenue for January 1 to December 31 of incoming year	60,300	60,300
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	584	584
14. Estimated December 31 cash balance, of incoming year	584	584
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(g) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

COUNTY USER FEE (DIVERSION) FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	691,933	691,933
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	915,715	915,715
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	915,715	915,715
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	438,000	438,000
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	438,000	438,000
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	214,218	214,218
10. Total budget estimate for January 1 to December 31 of incoming year	1,102,754	1,102,754
11. Miscellaneous revenue for January 1 to December 31 of incoming year	897,000	897,000
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	8,464	8,464
14. Estimated December 31 cash balance, of incoming year	8,464	8,464
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(h) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

ALCOHOL AND DRUG SERVICES FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	46,833	46,833
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	115,206	115,206
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	115,206	115,206
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	90,000	90,000
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	90,000	90,000
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	21,627	21,627
10. Total budget estimate for January 1 to December 31 of incoming year	235,030	235,030

11. Miscellaneous revenue for January 1 to December 31 of incoming year	240,000	240,000
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	26,597	26,597
14. Estimated December 31 cash balance, of incoming year	26,597	26,597
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(i) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

COUNTY EXTRADITION FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	148,392	148,392
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	79,500	79,500
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	79,500	79,500
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	-0-	-0-
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	-0-	-0-
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	68,892	68,892
10. Total budget estimate for January 1 to December 31 of incoming year	124,338	124,338
11. Miscellaneous revenue for January 1 to December 31 of incoming year	60,000	60,000
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	4,554	4,554
14. Estimated December 31 cash balance, of incoming year	4,554	4,554
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(j) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

LAW ENFORCEMENT FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	1,862,691	1,862,691
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	639,117	639,117
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-

4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	639,117	639,117
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	299,300	299,300
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	299,300	299,300
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,522,874	1,522,874
10. Total budget estimate for January 1 to December 31 of incoming year	2,089,114	2,089,114
11. Miscellaneous revenue for January 1 to December 31 of incoming year	570,000	570,000
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	-0-	-0-
14. Estimated December 31 cash balance, of incoming year	3,760	3,760
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(k) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

DRUG FREE COMMUNITY FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	1,200,995	1,200,995
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	474,238	474,238
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	474,238	474,238
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	10,000	10,000
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	10,000	10,000
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	736,757	736,757
10. Total budget estimate for January 1 to December 31 of incoming year	731,900	731,900
11. Miscellaneous revenue for January 1 to December 31 of incoming year	-0-	-0-
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	4,857	4,857
14. Estimated December 31 cash balance, of incoming year	4,857	4,857
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(l) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

SHERIFF'S CONTINUING EDUCATION FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	68,245	68,245
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	68,245	68,245
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	68,245	68,245
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	20,000	20,000
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	20,000	20,000
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	20,000	20,000
10. Total budget estimate for January 1 to December 31 of incoming year	80,000	80,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	60,000	60,000
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	-0-	-0-
14. Estimated December 31 cash balance, of incoming year	-0-	-0-
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(m) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

PRE-TRIAL DIVERSION PROGRAM FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	310,616	310,616
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	-0-	-0-
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	-0-	-0-
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	-0-	-0-
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	-0-	-0-
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	310,616	310,616
10. Total budget estimate for January 1 to December 31 of incoming year	115,056	0

11. Miscellaneous revenue for January 1 to December 31 of incoming year	-0-	-0-
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	195,560	310,616
14. Estimated December 31 cash balance, of incoming year	195,560	310,616
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(n) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

LOCAL EMERGENCY PLANNING AND RIGHT TO KNOW FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	107,776	107,776
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	70,500	70,500
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	70,500	70,500
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	35,000	35,000
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	35,000	35,000
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	72,276	72,276
10. Total budget estimate for January 1 to December 31 of incoming year	67,500	67,500
11. Miscellaneous revenue for January 1 to December 31 of incoming year	35,000	35,000
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	39,776	39,776
14. Estimated December 31 cash balance, of incoming year	39,776	39,776
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(o) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

LAW ENFORCEMENT EQUITABLE SHARE FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	1,238,673	1,238,673
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	603,000	603,000
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-

4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	603,000	603,000
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	247,500	247,500
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	247,500	247,500
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	883,173	883,173
10. Total budget estimate for January 1 to December 31 of incoming year	603,000	603,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	500,000	500,000
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	780,173	780,173
14. Estimated December 31 cash balance, of incoming year	780,173	780,173
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(p) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
STATE AND FEDERAL GRANTS FUND
(This budget makes no appropriations from this fund.)

(q) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
COUNTY CORRECTIONS FUND
(This budget makes no appropriations from this fund.)

(r) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
COMMUNITY CORRECTIONS HOME DETENTION FUND
(This budget makes no appropriations from this fund.)

(s) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
COUNTY GRANTS FUND
(This budget makes no appropriations from this fund.)

(t) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
DEFERRAL PROGRAM FEE FUND
(This budget makes no appropriations from this fund.)

(u) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES
MARION COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND
1996 NET ASSESSED VALUATION \$7,608,693,101
1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	975,545	975,545
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	2,704,874	2,704,874
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	2,704,874	2,704,874
6. Remaining property taxes to be collected present year	3,781,193	3,781,193
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	(1,900,659)	(1,900,659)

8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,880,534	1,880,534
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	151,205	151,205
10. Total budget estimate for January 1 to December 31 of incoming year	3,819,000	3,819,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	(3,791,353)	(3,791,353)
12. Property tax to be raised from January 1 to December 31 of incoming year	7,601,341	7,608,693
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	142,193	149,545
14. Estimated December 31 cash balance, of incoming year	142,193	149,545
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.1000	0.1000
Proposed tax rate for incoming year	0.1000	0.1000

(v) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

SUPPLEMENTAL PUBLIC DEFENDER FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	(102,074)	(102,074)
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	232,469	232,469
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	232,469	232,469
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	335,000	335,000
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	335,000	335,000
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	457	457
10. Total budget estimate for January 1 to December 31 of incoming year	358,840	358,840
11. Miscellaneous revenue for January 1 to December 31 of incoming year	360,000	360,000
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	1,617	1,617
14. Estimated December 31 cash balance, of incoming year	1,617	1,617
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(w) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

COUNTY RECORDER'S PERPETUATION FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	44,118	44,118
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	88,251	88,251
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	88,251	88,251
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	322,388	322,388
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	322,388	322,388
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	278,255	278,255
10. Total budget estimate for January 1 to December 31 of incoming year	197,948	197,948
11. Miscellaneous revenue for January 1 to December 31 of incoming year	673,000	673,000
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	753,307	753,307
14. Estimated December 31 cash balance, of incoming year	753,307	753,307
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

(x) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

INFORMATION SERVICES INTERNAL SERVICES FUND

1996 NET ASSESSED VALUATION \$7,608,693,101

1995 BILLED NET ASSESSED VALUATION \$7,460,583,950

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1995		
1. June 30 actual cash balance of present year	(688,327)	(688,327)
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	6,255,839	6,255,839
3. Additional appropriations necessary to be made July 1 to December 31 of present year	(228,599)	(228,599)
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	6,027,240	6,027,240
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	6,719,127	6,719,127
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	6,719,127	6,719,127
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	3,560	3,560
10. Total budget estimate for January 1 to December 31 of incoming year	10,405,994	10,405,994

11. Miscellaneous revenue for January 1 to December 31 of incoming year	10,589,274	10,589,274
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	186,840	186,840
14. Estimated December 31 cash balance, of incoming year	186,840	186,840
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	-0-	-0-
Proposed tax rate for incoming year	-0-	-0-

ARTICLE FOUR MISCELLANEOUS APPROPRIATIONS AND ALLOCATIONS

Section 4.01. State, Local and Federal Grants.

(a) Grant Applications Authorized. The Mayor of the Consolidated City of Indianapolis is hereby authorized to make such applications as may be required by federal or state laws or regulations in order to apply for, and receive, such state or federal grants or payments as are anticipated, allocated and approved for expenditure by inclusion in this ordinance.

(b) Community Development Grant Funds. Until this Council has approved the amounts, locations and programmatic operation of each project to be funded from Community Development Grant Funds, the amounts appropriated herein for such purposes shall not be encumbered or spent.

(c) Public Purpose Local Grants. The sums appropriated for public purposes grants as part of this ordinance shall not be spent until this Council by resolution approves the amount and identity of the recipient of each grant.

Section 4.02. Appropriations for Certain Allocated Expenses.

As part of the appropriations authorized for the various offices by Section 1.02 and included under "3. Other Services and Charges" are amounts allocated for payment of City-County Building rent, jail rent, telephone services and information services agency charges. The building rent, information services agency and telephone charges cannot be transferred without City-County Council approval. In total there is appropriated:

(1) City-County Building Rent	\$2,331,756
(2) Juvenile Center Rent	\$2,156,900
(3) Jail Rent	\$3,541,400
(4) Telephone Services	\$3,082,341
(5) Information Services Agency Charge	\$5,549,471
(6) Security Charge Back	\$246,056

The Auditor is authorized to pay such charges to the extent of the total appropriations and allocate the total to the respective offices on the basis of actual use and charges without further action by this Council, unless the aggregate totals exceed the total appropriations for such purpose or the allocation to any specific office would exceed the unencumbered balance for Character 3 expenditures of any such office.

Section 4.03. Allocation of County Option Income Tax Revenues.

Pursuant to IC 6-3.5-6-19 (d), the City-County Council may determine the distribution to be made of the revenue received by the City of Indianapolis and County of Marion as a single taxing unit from the County Option Income Tax. The City-County Council hereby determines that from the certified distribution of Eighty Nine Million Sixty-One Thousand Six Hundred Dollars (\$89,061,600) after the County Auditor deposits Two Million Dollars (\$2,000,000) in the Metropolitan Emergency Communications Fund, retains the homestead credit distribution of Eleven Million Four Hundred Fifty-Five Thousand Two Hundred One Dollars (\$11,455,201) and distributes the shares of other units entitled to distributions, the balance for the Consolidated City and County of Sixty-Five Million Three Hundred Twenty-Eight Thousand Four Hundred Thirty-Three Dollars (\$65,328,433) are hereby allocated and shall be distributed by the County Auditor and City Controller as follows:

- (1) To the County General Fund, the sum of \$21,776,144;
- (2) To the Consolidated County Fund, the sum of \$100,000;
- (3) To the Police Special Service District Fund, the sum of \$25,700,000;
- (4) To the Fire Special Service District Fund, the sum of \$9,600,000;
- (5) To the Police Pension Fund, the sum of \$4,115,000;
- (6) To the Fire Pension Fund, the sum of \$3,635,000; and
- (7) To the United Airline Line Debt Service Fund, the sum of \$2,000,000.

Section 4.04. Requirement and Allocation of Payments in Lieu of Taxes Revenues.

Pursuant to IC 36-3-2-10, the City-County Council may require the payments in lieu of taxes (PILOT) from certain public entities. Included within the list of public entities is a wastewater treatment facility. The City-County council requires the wastewater treatment facility to pay PILOTS on January 31, 1996 in the amount of Four Million Four Hundred Thousand Dollars (\$4,400,000), which are hereby allocated and shall be distributed by the City controller as follows:

- (1) To the Police Service District Fund, the sum of \$1,850,000;
- (2) To the Fire Service District Fund, the sum of \$2,050,000;
- (3) To the Police Pension Fund, the sum of \$250,000; and
- (4) To the Fire Pension Fund, the sum of \$250,000.

Section 4.05. Assistance to Indianapolis Public Housing Agency and Parks and Recreation Department.

Pursuant to IC 36-7-19, the City-County Council authorizes aid to the Division of Housing in the Department of Metropolitan Development by exempting it from sewer user charges and fees and from solid waste collection charges and fees and to the Department of Parks and Recreation by exempting it from sewer user charges and fees.

Section 4.06. Authorization of Dues and Memberships.

In accordance with Sec. 2-412 of the Code of Indianapolis and Marion County, the respective officials are authorized to pay dues in the following associations to the extent of available appropriations therefore:

ADMINISTRATION

American Gas Association
American Institute of Certified Public Accountants
American Management Association
American Production and Inventory Control Society, Inc.
American Society for Training and Development
American Society of Personnel Administration
American Society of Safety Engineers
American Society for Quality Control
Associated Public-Safety Communications Officers, Inc.
Association for Information Image Management
Association for Quality & Participation
Central Indiana Wang Users Association
Central Indiana American Society for Training and Development
Equipment Maintenance Council
Government Finance Officers Association
Hoosier Minority Chamber of Commerce
Indiana Municipal Lawyers Association
Indiana Government Finance Officers Association
Indiana Affirmative Action Association
Indiana Notary Association
Indiana Historical Society
Indiana CPA Society
Indiana Telecommunications Users Association
Indiana Association of Cities & Towns
Indiana Regional Minority Supplier Development Council
Institute of Internal Auditors
International Institute of Municipal Clerks
International Personnel Management Association
International Association of Official Human Rights Agencies

Local & State Consortium of Civil Rights
Motorola Trunked Users Group
National Institute Municipal Law Officers
National Safety Council
National Academy of Cable Programming
National Association of Counties
National League of Cities
National Federation of Local Cable Programmers
National Emergency Number Association
National Society for Quality Control
National Institute of Government Purchasing
National Association of Telecommunication Officers and Advisors
National Association of Fleet Administration
Partners for Livable Places
Public Technology, Inc.
Public Risk and Insurance Management Association
Society of American Archivists
U.S. Conference of Mayors Employment and Training Council
U.S. Conference of Mayors
Urban League

METROPOLITAN DEVELOPMENT

American Planning Association
Apartment Association of Indiana
Association for Preservation Technology
Association of Major City Building Officials
Building Officials for Code Administration
Chamber of Commerce
Council of Large Public Housing Authorities
Indiana Housing Coalition
Indiana Neighborhood Coalition
Housing Authority Accounts Group
Homeless Network of Indianapolis
Indiana Association for Community Economic Development
Indiana Association of Building Officials, Inc.
Indiana Association of Electrical Inspectors
Indiana Chapter, National Association of Housing & Redevelopment Officials
Indiana Historic Society
Indiana Planning Association
Indianapolis Chamber of Commerce
Institute of Real Estate Management
International City Management Association
International Conference of Building Officials
International Right of Way Association
Metropolitan Indianapolis Board of Realtors
National Alliance of Preservation Commissions
National Association of Housing & Redevelopment Officials
National Association of Installation Developers
National Association of Housing & Urban Development Officials
National Center for Preservation Law
National Community Development Association
National Conference of States on Building Codes / Standards
National Fire Protection Association
National Trust Historic Preservation
Public Housing Directors' Association
State Community Development Association
Urban and Regional Information System Association
Urban Land Institute

DEPARTMENT OF CAPITAL ASSET MANAGEMENT

AM/FM International
American Association of Construction Engineers
American Concrete Institute

American Planning Association
American Society for Training and Development, Inc. (Central Indiana)
American Society of Civil Engineers
Appraisal Institute
Association for Commuter Transportation
Central Indiana / American Society for Training and Development
Construction Specifications Institute
Indiana Association of County Engineers
Indiana County Highway Supervisors Association
Institute of Transportation Engineers
Institutional and municipal Parking Congress
International Association of Synercom Users
International Right of Way Association
Metropolitan Indianapolis Board of Realtors
Synercom Midwest User Group
Transportation Research Board
Urban Regional Information System Association

PARKS AND RECREATION

Amateur Boxing Association
Amateur Hockey Association
Amateur Softball Association
American Academy for Parks and Recreation Administration
American Association of Botanical Gardens and Arboretums
American Bicycling Association
American Horticultural Society
American Horticulture Therapy Association
Association of Performing Arts Presenters
Association of Zoological Horticulture
Bicycle Racing Indiana/Kentucky
Central Indiana Association of Volunteer Administrators
Central Indiana Bicycle Association
Central Indiana Network Users Group
Chamber of Commerce of Indianapolis
Indiana Association of Event Professionals
Indiana Association of Nurserymen
Indiana Parks and Recreation Association
Indiana Youth Soccer Association
Lawrence Chamber of Commerce
LERN (Learning Resources Network)
Midwest Regional Turf Foundation
National Association of County Park and Recreation Officials
National Association of Fund Raising Executives
National Association of Interpreters
National Golf Foundation
National Recreation and Park Association
National Youth Sports Coaches Association
Pro - Am National Basketball Association
Professional Plant Growers Association
Rainforest Action Network
Roger Tory Peterson Institute
The Roundtable Associates, Inc.
United States Amateur Soccer Association
United States Cycling Federation
United States Golf Association
United States Tennis Association
USA Track and Field

PUBLIC SAFETY

Airborne Law Enforcement Association
American Polygraph Association
Association for Fitness in Business
Association Public Safety Communications Officers

Central Weights and Measures Association
Divers Alert Network
Domestic Violence Network
Fire Department Safety Officer's Association
Fire Industry Equipment Research Organization
Idea Today for Fitness Trainer
Indiana Association of Chiefs of Police, Inc.
Indiana Association of Inspectors of Weights and Measures
Indiana Association of Fire Service
Indiana Coalition Against Sexual Assault
Indiana Fire Chiefs' Association
Indiana Fire Instruction Association
Indiana Fire Safety Association
Indiana Polygraph Association
Indiana Victim assistance Network
Instrument Society of America
International Association of Chiefs of Police
International Association of Dive Rescue Specialist, Inc.
International Association of Fire Chiefs
International Society of Fire Service Instructors
Law enforcement Intelligence Unit
Major Cities Chiefs
Marion County Fire Prevention & Arson Association
Marion County Fire Chiefs' Association
National Association of Bunco Investigations
National Association of Fleet Administrators
National Association of Search and Rescue
National Conference on Weights and Measures
National Executive Institute Association
National Fire Protection Association
National Organization for Victim Assistance
National Safety Council
Police Executive Research Forum
Professionals Against Confidence Crime
Society of Fire Protection Engineers
Society of National Fire Academy Instructors

PUBLIC WORKS

AM/FM International
American Chemical Society
American Concrete Institute
American Geophysical Union
American Management Association
American Public Works Association
American Society of Civil Engineers
American Water Works Association
Association of Metropolitan Sewerage Agencies
Association of State Wetlands
Coalition of Resource Recovery and the Environment
Combined Sewer Overflow Partnership
Cryogenic Society of America
Indiana Society of Hazardous Materials Managers
Indiana Water Resources Association
Institute of Hazardous Materials Management
Instrument Society of America
Instrumentation Testing Association
International Association of Synercom Users
International Erosion Control Association
International Ozone Institute
International Right of Way Association
Metropolitan Indianapolis Board of Realtors
Municipal Waste Management Association
National Association of Flood and Stormwater management Agencies

National Association of Sewer Service Companies
National Association of Fleet Administrators
National Environmental Training Association
National Fire Protection Association
National Safety Council
National Society of Professional Engineers
National Water Well Association
Refrigeration Service Engineers Society
Urban and Regional Information Systems Association
Water & Wastewater Instrumentation Testing Association
Water Environment Federation (Financial Management)
Water Environment Federation

COUNTY AUDITOR

American Institute of Certified Public Accountants
American Correctional Association
American Management Association
American Payroll Association
Association of Indiana Counties, Inc.
Central Indiana Personnel Association
Government Finance Officers' Association
Indiana Association of County Councils
Indiana Association of County Commissioners
Indiana Auditors' Association
Indiana Certified Public Accountants Society
Indiana Correctional Association
Indiana Government Finance Officers' Association
Indiana Sheriff's Association
National Association of Counties
State and Local Government Benefits Association
Society for Human Resource Management

COUNTY COMMISSIONERS

Indiana Association of County Commissioners

COUNTY TREASURER

Association of Indiana Counties
Central Indiana Cash Management Association
Government Finance Officers Association
Indiana Association of County Treasurer
Indiana Government Finance Officers Association
Municipal Treasurers' Association
National Associations of County Treasurers and Finance Officers

CLERK OF CIRCUIT COURT

Association of Indiana Clerks of Circuit Court
Association of Indiana Counties
International Association of Clerks, Recorders,
Elected Officials, Treasurers

COUNTY RECORDER

Indiana Recorders' Association
National Association of County Clerks and Recorders

COUNTY EXTENSION SERVICE

The American Dietetics Association
The Community Development Society
Indiana Extension Agents' Association
National Association of County Agricultural Agents
National Association of Extension Home Economists
National Association of Extension 4-H Agents

COUNTY SURVEYOR

American Congress on Surveying and Mapping
AM/FM International
Central Indiana Chapter of ISPLS
County Surveyors' Association
International Right-of-Way Association
National Association of County Surveyors
Professional Engineers and Land Surveyors
IN-KY-OH Chapter, Automated Mapping and Facility Management
Indiana Society of Professional Land Surveyors
Urisa

COUNTY SHERIFF

American Correctional Association
American Polygraph Association
American Society of Law Enforcement Trainers
Associated Public Safety Communications Officers, Inc.
Community Service Council
Government Finance Officers Association
Indiana Association of Chiefs of Police
Indiana Correctional Association
Indiana Polygraph Association
Indiana Sheriffs' Association
Indiana State Board of Health
Indianapolis Chamber of Commerce
International AFIS Users Association (NEC)
International Arson Association
International Association of Bomb Investigators
International Association of Identification Officer
International Chiefs of Police
International Narcotics Enforcement Association
International Television Association
Internet, Inc.
Law Enforcement Intelligence Unit
Magoclen Intelligence Association
Midwest Gang Investigator's Association
National Bunko Investigator's Association
National Rifle Association (The)
National Sheriffs' Association
Personnel Association of Indianapolis
Professional Photographers' Association

COUNTY CORONER

American Academy of Forensic Sciences, Inc.
Indiana Coroners' Association
International Association of Coroners and Medical Examiners
International Homicide Investigators Association
International Reference Organization in Forensic Medicine (INFORM)
National Association of Chiefs of Police
National Association of Indiana Counties

COUNTY PROSECUTOR

Association of Government Attorneys in Capital Litigation
Association of Indiana Prosecuting Attorneys
Community Service Council
Domestic Violence Network
Eastern Regional Interstate Child Support Association (ERICSA)
Indiana Victim Assistance Network
Indianapolis Bar Association
International Association of Chiefs of Police
Marion County Council on Adolescent Pregnancy
National Association of Chiefs of Police
National Child Support Enforcement Association

National Council on Crime & Delinquency
National District Attorneys' Association
National Victim Center

MARION COUNTY COMMUNITY CORRECTIONS AGENCY
Indiana Association of Community Corrections Act Counties (IACCAC)

ASSESSORS

AM/FM International
American Society of Surveyors and Mappers
Association of Indiana Counties
Central Indiana Autocad Users Alliance
Generation 5 Users Group (National)
GEO/SQL Users Group - Midwest Region
IN-KY-OH Chapter, Automated Mapping and Facility Management
Indiana Assessors' Association
Indiana County Assessors' Association
International Association of Assessing Officials
National Association of Counties
National Association of Independent Fee Appraisers
North Central Regional Association of Assessing Officers
Urban and Regional Information Systems Association

METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY

Association of Public Safety Communications Officials International, Inc.
Central Indiana Netware Users Group
Motorola Data Users Group
Motorola Trunked Users Group
National Emergency Number Association
STATAGY (Stratus Users Group)
Tiburon Users Group

PUBLIC WELFARE

American Public Welfare Association
Child Abuse and Neglect Council of Marion County
Family Support Center
Indiana State Association of County Welfare Directors
National Center for the Prevention of Child Abuse - Indiana Chapter
National Welfare Fraud Association

INFORMATION SERVICES AGENCY

Amdahl Users Group
American Management Association
American Society for Training and Development
Association for Information and Image Management
CICS User Group
Central Indiana Chapter of American Society for Training and Development
Central Indiana Educators in Data Processing
Computer Operations Management Association
Dyleague
Data Processing Management Association
Electronic Mail Association
Ernest & Young Management Forum on Information Technology
FAMIS User Group
Gartner Group
Government Finance Officers Association
Government Management Information Systems
Government Technology Association
Group 1 User's Group
Help Desk Institute
Indiana Assessor's Association, Inc.
Indiana Help Desk
Indiana Telecommunications User Association

Indiana/Kentucky Datacom User Group
Indianapolis Computer Society
Indianapolis Personal Computer User's Group
Indianapolis Training Consortium
Information Center Users' Association
Infopac Users Group
Midwest Contingency Planners
National Systems Programmers' Association in Data Processing
Public Technology, Inc.
Seven Midwest Use Group
Share, Inc.
Society for Information Management
TOSS User Group

JUDICIARY

Academy of Family Mediators
American Association of Law Libraries
American Bar Association
American Correctional Association
America Correctional Training
American Court Alcohol and Drug Coalition
American Judges Association
American Judicature Society
American Management Association
American Probation and Parole Association
American Trial Lawyers' Association
Association of Family and Conciliation Courts
Central Indiana Area Library Services Authority
Child Abuse and Neglect Council
Correctional Accreditation Managers Association
Court Alcohol & Drug Coalition
Domestic Violence Network
Indiana Association of Mediators
Indiana Correctional Association
Indiana Council of Juvenile and Family Court Judges
Indiana Counseling Association on Alcohol and Drug Abuse
Indiana Court Coalition of Alcohol and Drug Services
Indiana Judges' Association
Indiana State Bar Association
Indiana Supreme Court Disciplinary Commission
Indiana Trial Lawyers' Association
Indianapolis Bar Association
Indianapolis Substance Abuse Forum
Institute for Court Management
International Association of Family Law
Marion County Bar Association
Marion County Juvenile Delinquency Prevention Council
Mediation Association of Indiana
National Association of Community Service Sentencing
National Association for Court Management
National Association of Pretrial Services Agencies
National Association of Social Workers
National Association for Victims' Assistance
National Association of Women Judges
National Bar Association
National Council on Family Relations
National Council of Juvenile and Family Court Judges
National Council on Crime and Delinquency
National CASA Association
National College of Probate Judges
National Criminal Justice Association
National Institute for Trial Advocacy
National Juvenile Detention Association

National Legal Aid and Defenders' Association
National Reciprocal and Family Support Enforcement Association
Ohio Regional Association of Law Libraries
P.A.C.E.
Probation Officers Professional Association of Indiana, Inc.

FORENSIC SERVICES AGENCY

American Academy of Forensic Sciences (AAFS)
American Association of Blood Banks (AABB)
American Society of Crime Laboratory Directors (ASCLD)
Association of Firearms & Toolmark Examiners (AFTE)
Biological Photographer's Association (BPA)
British Forensic Science Society
California Association of Criminalists (CAC)
Canadian Society of Forensic Sciences (CSFS)
Electrophoresis Society
Forensic Genetics Association
International Wound Ballistics Association (IWBA)
International Association of Identification (IAI)
International Cartridge Collectors' Association (ICCA)
Mid-Atlantic Association of Forensic Science (MAAFS)
Midwestern Association of Forensic Sciences (MAFS)
National Automatic Pistol Collectors' Association
National Rifle Association (NRA)
Northeastern Association of Forensic Scientists (NEAFS)
Northwestern Association of Forensic Scientists (NWAFS)
Southern Association of Forensic Scientists (SAFS)
Southwestern Association of Forensic Scientists (SWAFS)

**ARTICLE FIVE
COMPENSATION OF OFFICERS AND EMPLOYEES**

Section 5.01. Elected Officers.

Pursuant to IC 36-3-6-2, the annual compensation of elected officers of the consolidated city and county are fixed for the calendar year 1996 and thereafter, as follows:

(a) Mayor. Effective January 1, 1996, the compensation for the mayor of Indianapolis as an annual salary for the calendar year 1996 and thereafter until modified, shall be Eighty-Three Thousand Two Hundred Eleven Dollars (\$83,211) and a deferred compensation plan funded by contributions equalling Seven Thousand Five Hundred Dollars (\$7,500) which amounts for each year shall be in addition to the use of an automobile, an account for expenses incurred in the performance of the duties of office, and participation in other employee benefits on the same basis as other city employees.

(b) Elected County Officers. Effective January 1, 1996 the annual compensation of the elected county officers for the calendar year 1996 and thereafter until modified shall be as follows:

(1) an annual salary of:

a.	County Assessor	51,484
b.	County Auditor	55,867
c.	County Clerk	55,867
d.	County Coroner	30,741
e.	County Recorder	48,454
f.	County Surveyor	46,124
g.	County Treasurer	55,867
h.	Center Township Assessor	49,324
i.	Decatur Township Assessor	38,390
j.	Franklin Township Assessor	38,390
k.	Lawrence Township Assessor	43,068
l.	Perry Township Assessor	43,068
m.	Pike Township Assessor	43,068
n.	Warren Township Assessor	47,854

o. Washington Township Assessor	47,854
p. Wayne Township Assessor	47,854

- (2) and a deferred compensation plan funded by contributions equally eight percent (8%) of the officer's annual salary.
- (3) The county assessor, county auditor and county treasurer, as ex-officio county commissioners, in addition to other compensation may be provided the use of an automobile.
- (4) The salary for the county sheriff shall be Twenty-eight Thousand Two Hundred Fifty Dollars (\$28,250), which shall be increased to Eighty-eight Thousand Two Hundred Fifty Dollars (\$88,250) per annum if the sheriff has entered into a salary contract pursuant to either applicable ordinance or IC 36-2-13-2.5
- (5) All elected county officers shall be entitled to participate in other employee benefits on the same basis as other county employees.

(c) Elected judges and prosecuting attorneys. The salaries of the judges of the circuit and superior courts are established by statute and paid by the state, provided that pursuant to IC 36-3-6-3(c), this budget appropriates the amounts necessary to increase the salary of each such judge and prosecuting attorney by the sum of Five Thousand Dollars (\$5,000) per year.

(d) City-County Council. Effective January 1, 1996, the annual compensation of members of the city-county council for the calendar year 1996 and thereafter until modified shall be as follows:

- (1) Each member of the city-county council shall receive an annual salary in an amount equal to twelve (12) percent of the annual salary of the mayor as fixed in subsection (a).
- (2) Each member of the city-county council shall receive, in addition to the annual salary, a per diem allowance of One Hundred Twelve Dollars (\$112) for each regular council meeting attended, not to exceed twenty-one (21) in any calendar year, attendance to be determined solely on the basis of the roll call taken at the opening of each regular meeting.
- (3) Each member of the city-county council, in addition to the annual salary and per diem for council meetings, shall receive a per diem of Sixty-two Dollars (\$62) for attendance at each meeting of a committee of which he is a member, not to exceed forty (40) meetings in any calendar year. The council may authorize the per diem fee to be paid to a member representing the council on a specific council assignment.
- (4) In addition to the annual salary and per diem fees, the officers of the council shall receive the following additional compensation:
 - a. The president shall be paid an additional annual compensation of One Thousand Nine Hundred Eighty-two Dollars (\$1,982);
 - b. The vice president, majority leader and minority leader shall be paid an additional annual compensation of One Thousand Three Hundred Twenty Dollars (\$1,320); and
 - c. The chairman of each standing committee for the president of each special service district council shall be paid an additional annual compensation of Seven Hundred Ninety-seven Dollars (\$797).
 - d. The chairman of each special committee shall be paid an additional monthly compensation of Sixty-six Dollars (\$66) for each calendar month during which the committee meets.

No member shall be entitled to but one additional compensation as provided in this paragraph (4). The right to each such additional compensation shall be established by the council rules and resolutions providing for the organization of the council or the establishment of the special committee.

- (5) Members of the city-county council, as part-time employees, may participate in employee benefit programs on the same basis as other elected and part-time employees of the City of Indianapolis.

Section 5.02. Annual Compensation of Employees of the Consolidated City and County.

(a) Pursuant to IC 36-3-6-3, the City-County Council fixes the annual compensation for the calendar year 1996 for all appointed officers, deputies and employees under its jurisdiction, as set forth in this section.

(b) The Annual Compensation for 1996 for all appointed officers, deputies and employees of the Consolidated City, except those of a special services district and the city-county council, is hereby fixed for all classified personnel as follows:

- (1) as set forth in the schedule in the Mayor's Executive Order No. 9, 1994, or
- (2) hourly employees in a bargaining unit shall be paid in accordance with the terms of the Master Agreement as approved by the Mayor.

Such compensation shall not be increased without approval of the Council or in accordance with such wage and salary classification ordinance as may from time to time be adopted for city-county employees. For employees of the City-County Council, the President of the City-County Council shall classify all employees of the Council pursuant to the pertinent rules and regulations of the Council and establish their rates of compensation.

(c) For all appointed officers, deputies and employees, whose compensation is payable from the County General Fund or any other fund from which the County auditor issues warrants for compensation, are hereby fixed in accordance with schedules of compensation adopted pursuant to Article VI of Chapter 23 of the Code of Indianapolis and Marion County provided; however, that this subsection shall not affect the salaries of judges, officers of courts, prosecuting attorneys and deputy prosecuting attorneys whose minimum salaries are fixed by statute.

(d) The respective amounts set forth in Sections 1.01 and 1.02 of this ordinance for personal services are hereby appropriated and include all salaries, wages, compensation and fringe benefits associated therewith. No person whose compensation is subject to the jurisdiction of the Council shall be paid in excess of the amounts scheduled for such position pursuant to subsections (b) or (c) of this section without action by this Council.

(e) The scheduled annual salaries shall be paid on the basis of forty hours per week for hourly paid employees. Employees classified as "exempt" for purposes of the Federal Fair Labor Standards Act shall be salaried and such salaries paid on an annualized basis, and shall be required to regularly work a forty-hour (40) week, except for certain county offices which normally work only thirty-seven and one-half (37½) hours per week in which case the salary scheduled shall be reduced by 1/16 of the scheduled compensation.

Section 5.03. No Vested Rights Created.

The respective amounts specified for "Personal Services" in Sections 1.01 and 1.02 are appropriated subject to this section. No officer or employee, except elected officers whose salaries are stated in Section 5.01, shall have any vested right to receive such amount or any minimum amount except as may be accrued or otherwise provided by law. Control as to any decrease in compensation shall be vested in the body or officer having direction over the person affected, as provided by law.

Section 5.04. Enforcement.

Any employee of the city or county who authorizes the payment of, or accepts, any salary, wage or compensation, either as to separate persons or in gross, in excess of that authorized in this article or Sections 1.01 or 1.02, shall be indebted to the city or county for repayment of the excess; and such actions shall be grounds for impeachment, removal, or dismissal in the manner provided by law.

ARTICLE SIX
SUMMARIES OF APPROPRIATIONS AND TAX LEVIES

Section 6.01. Summary of Consolidated City Appropriations and Tax Levies.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund/Department	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
Consolidated County	32,245,128	18,886,707	13,254,343	7,608,693,101	0.1742
State Grants	6,052,000	6,052,000	0	7,126,464,224	0
Federal Grants	27,770,050	27,869,496	0	7,126,464,224	0
Redevelopment General	1,153,452	670,123	513,105	7,126,464,224	0.0072
Sanitation General	41,546,870	41,794,954	0	6,991,045,838	0
Solid Waste Disposal	10,781,312	12,156,425	0	7,137,763,950	0
Flood Control General	1,346,828	1,103,699	0	7,608,693,101	0
Transportation General	29,568,151	29,655,516	0	7,608,693,101	0
Parking Meter	2,109,455	1,817,919	0	7,126,464,224	0
Park General	20,314,747	7,106,344	13,223,909	7,608,693,101	0.1738
City Cumulative Capital Development	12,506,361	2,018,817	10,689,696	7,126,464,224	0.1500
Consolidated County Cumulative Capital Development	4,750,000	4,786,653	0	7,608,693,101	0
City General Sinking	1,631,035	179,455	1,418,166	7,126,464,224	0.0199
Redevelopment General Sinking	423,775	40,897	399,082	7,126,464,224	0.0056
Sanitary District Sinking	16,217,200	2,093,520	14,177,841	6,991,045,838	0.2028
Flood Control District Sinking	2,309,100	264,976	1,963,043	7,608,693,101	0.0258
Metro Thoroughfare District Sinking	7,598,648	882,398	6,786,954	7,608,693,101	0.0892
Park District Sinking	2,453,154	278,200	2,198,191	7,608,693,101	0.0289
Maintenance Operations General	33,472,237	31,657,428	1,924,999	7,608,693,101	0.0253
TOTAL	254,249,593	189,315,527	66,550,052		1.00

Section 6.02. Summary of County Appropriations and Tax Levies.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund/Department	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	ax Rate
County General	124,750,242	55,009,260	75,240,982	7,608,693,101	.9889
Property Reassessment	2,775,805	244,380	1,445,652	7,608,693,101	.0190
Surveyor's Corner Perpetuation	47,483	30,000		7,608,693,101	
Supplemental Adult Probation Fees	1,503,194	1,380,000		7,608,693,101	
Juvenile Probation Fees	100,965	60,000		7608,693,101	
Guardian Ad Litem	60,300	60,300		7,608,693,101	
County User Fee	1,102,754	897,000		7,608,693,101	
Alcohol and Drug Services	235,030	240,000		7,608,693,101	
County Extradition	124,338	60,000		7,608,693,101	
Law Enforcement	2,089,114	570,000		7,608,693,101	
Drug Free Community	731,900	-0-		7,608,693,101	
Sheriff's Continuing Education	80,000	60,000		7,608,693,101	
Pre-Trial Diversion Program	0	-0-		7,608,693,101	
Local Emergency Planning and Right to Know	67,500	35,000		7,608,693,101	
Law Enforcement Equitable Share	603,000	500,000		7,608,693,101	
Marion County Cumulative Capital Dev.	3,819,000	(3,791,353)	7,608,693	7,608,693,101	.1000
Supplemental Public Defender	358,840	360,000		7,608,693,101	
County Recorder's Perpetuation	197,948	673,000		7,608,693,101	
Information Services Agency	10,405,994	10,589,274		7,608,693,101	
Total	149,053,407	66,976,861	84,295,327	7,608,693,101	1.1079

ARTICLE SEVEN
LEVY OF PROPERTY TAXES

Section 7.01. Tax Levies for Consolidated City and Its Special Taxing Districts.

(a) CONSOLIDATED COUNTY FUND. For the use and benefit of the Consolidated County Fund for the county-wide functions of the consolidated city, there is hereby levied and assessed, in the year 1995,

collectible in the year 1996, the sum of seventeen and forty-two hundredths cents (\$.1742) on each one hundred dollars (\$100.00) of the assessed valuation of the taxable property of said Marion County, which taxes, when collected, shall be paid into the Consolidated County Fund.

(b) CITY SINKING FUND. For the use and benefit of the City Sinking Fund, there is hereby levied and assessed, in the year 1995, collectible in the year 1996, the sum of one and ninety-nine hundredths cents (\$.0199) on each one hundred dollars (\$100.00) of the assessed valuation of the taxable property of the Consolidated City of Indianapolis, which taxes, when collected, shall be paid into the City Sinking Fund.

(c) INDIANAPOLIS CUMULATIVE CAPITAL DEVELOPMENT FUND. For the use and benefit of the Indianapolis Cumulative Capital Development Fund, there is hereby levied and assessed, in the year 1995, collectible in the year 1996, the sum of fifteen cents (\$.15) on each one hundred dollars (\$100.00) of the assessed valuation of the taxable property of the Consolidated City of Indianapolis, which taxes, when collected, shall be paid into the Indianapolis Cumulative Capital Development Fund.

(d) SPECIAL TAXING DISTRICTS' FUNDS. For the use and benefit of the Consolidated City of Indianapolis, there is hereby levied and assessed, in the year 1995, collectible in the year 1996, on the assessed valuation of taxable property of the City of Indianapolis, a consolidated city or in the applicable special taxing district thereof, as assessed and returned for taxation in said City, all of which levies are duly authorized by specific law, tax rates as follows:

- (1) REDEVELOPMENT GENERAL FUND: Zero and seventy-two hundredths cents (\$.0072) for the Redevelopment General Fund for each one hundred dollars (\$100.00) valuation of such special taxing district, taxable property;
- (2) MAINTENANCE OPERATION GENERAL FUND: Two and fifty-three hundredths cents (\$.0253) for the Maintenance Operation General Fund for each one hundred dollars (\$100.00) valuation of the flood control special taxing district, taxable property, County Assessed Valuation;
- (3) TRANSPORTATION GENERAL FUND: Zero cents (\$.0000) on each one hundred dollars (\$100.00) valuation of the Metropolitan Thoroughfare Special Taxing District property, County Assessed Valuation;
- (4) PARK GENERAL FUND: Seventeen and thirty-eight hundredths cents (\$.1738) for the Park General Fund for each one hundred dollars (\$100.00) valuation of such special taxing district, taxable property, County Assessed Valuation;
- (5) REDEVELOPMENT DISTRICT SINKING FUND: Zero and fifty-six hundredths cents (\$.0056) for the Redevelopment Sinking Fund on each one hundred dollars (\$100.00) valuation of such special taxing district, taxable property;
- (6) SANITARY DISTRICT SINKING FUND: Twenty and twenty-eight hundredths cents (\$.2028) for the Sanitary District Sinking Fund on each one hundred dollars (\$100.00) valuation of such special taxing district;
- (7) FLOOD CONTROL DISTRICT SINKING FUND: Two and fifty-eight hundredths cents (\$.0258) for the Flood Control District Sinking Fund on each one hundred dollars (\$100.00) valuation of such special taxing district, taxable property, County Assessed Valuation;
- (8) PARK DISTRICT SINKING FUND: Two and eighty-nine hundredths cents (\$.0289) for the Park District Sinking Fund on each one hundred dollars (\$100.00) valuation of such special taxing district property, County Assessed Valuation;
- (9) METROPOLITAN THOROUGHFARE SINKING FUND: Eight and ninety-two hundredths cents (\$.0892) for the Metropolitan Thoroughfare Sinking Fund on each one hundred dollars (\$100.00) valuation on such special taxing district, taxable property, County Assessed Valuation.

Section 7.02. Tax Levies for Marion County Government for 1996.

(a) CONSOLIDATED COUNTY FUND. For the use and benefit of the County General Fund, there is hereby levied and assessed in 1995, collectible in the year 1996, the sum of ninety-eight and eighty nine hundredths cents (\$.9889) on each one hundred dollars (\$100.00) of the assessed valuation of taxable

property of said Marion County, which taxes, when collected, shall be paid into the County General Fund in the County Treasury.

(b) MARION COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND. For the use and benefit of the Marion County Cumulative Capital Development Fund, there is hereby levied and assessed in 1995, collectible in the year 1996, the sum of ten cents (\$.1000) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Marion County Cumulative Capital Development Fund in the County Treasury.

(c) COUNTY BOND SINKING FUND. For the use and benefit of the County Bond Sinking Fund, there is hereby levied and assessed in 1995, collectible in the year 1996, the sum of zero hundredths cents (\$.0000) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the County Bond Sinking Fund in the County Treasury.

(d) PROPERTY REASSESSMENT FUND. For the use and benefit of the 1997 Reassessment Fund, there is hereby levied and assessed in 1995, collectible in the year 1996, the sum of one and ninety hundredths cents (\$.0190) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Property Reassessment Fund.

Section 7.03. Tax Levies for Municipal Corporations.

(a) INDIANAPOLIS-MARION COUNTY PUBLIC LIBRARY FUND. For the use and benefit of the Indianapolis-Marion County Public Library Fund, there is hereby levied and assessed or confirmed as may be required by law, on all real estate and improvements and all personal property subject thereto within the County of Marion, with the exception of that located within the City of Beech Grove, Indiana, and the Town of Speedway, Indiana, as assessed and returned for taxation in said County for the year 1995, collectible in the year 1996, a tax rate of twenty-seven and ninety hundredths cents (\$.2790) on each one hundred dollars (\$100.00) valuation of such taxable property, which levy is duly authorized by specific law.

(b) INDIANAPOLIS-MARION COUNTY PUBLIC LIBRARY SINKING FUND. For the use and benefit of the Indianapolis-Marion County Public Library Sinking Fund, there is hereby levied and assessed or confirmed as may be required by law, on all real estate and improvements and all personal property subject thereto within the County of Marion, with the exception of that located within the City of Beech Grove, Indiana, and the Town of Speedway, Indiana, as assessed and returned for taxation in said County for the year 1995, collectible in the year 1996, a tax rate of one and thirty-four hundredths cents (\$.0134) on each one hundred dollars (\$100.00) valuation of such taxable property, which levy is duly authorized by specific law.

(c) INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION GENERAL FUND. For the use and benefit of the Indianapolis Public Transportation Corporation General Fund, there is hereby levied and assessed, in the year 1995, collectible in the year 1996, the sum of nine and sixty-six hundredths cents (\$.0966) on each one hundred dollars (\$100.00) of the assessed valuation of the taxable property of the Consolidated City of Indianapolis, which taxes, when collected, shall be paid into the Indianapolis Public Transportation Corporation General Fund.

(d) INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION BOND SINKING FUND. For the use and benefit of the Indianapolis Public Transportation Corporation Bond Sinking Fund, there is hereby levied and assessed, in the year 1995, collectible in the year 1996, the sum of one and fifty-three hundredths cents (\$.0153) on each one hundred dollars (\$100.00) of the assessed valuation of the taxable property of the Consolidated City of Indianapolis, which taxes, when collected, shall be paid into the Indianapolis Public Transportation Corporation Bond Sinking Fund.

(e) HEALTH AND HOSPITAL FUND. For the use and benefit of the Health and Hospital Fund, there is hereby levied and assessed in 1995, collectible in the year 1996, the sum of eighty and twenty-two hundredths cents (\$.8022) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Health and Hospital Fund.

(f) HEALTH AND HOSPITAL BOND FUND. For the use and benefit of the Health and Hospital Bond Fund, there is hereby levied and assessed in 1995, collectible in the year 1996, the sum of three and

forty-two hundredths cents (\$.0342) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Health and Hospital Bond Fund.

(g) HEALTH AND HOSPITAL CUMULATIVE BUILDING FUND. For the use and benefit of the Health and Hospital Cumulative Building Fund, there is hereby levied and assessed in 1995, collectible in the year 1996, the sum of twenty hundredths cents (\$.0020) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Health and Hospital Bond Cumulative Building Fund.

ARTICLE EIGHT COLLECTION AND EFFECTIVE DATE

Section 8.01. Collection of Tax Levies.

The Auditor of Marion County, Indiana, is hereby ordered and directed to place all the tax levies set forth in this ordinance (as approved by the State Board of Tax Commissioners) upon the property tax duplicate. The County Treasurer of such county, ex-officio City Treasurer, is hereby ordered and directed to collect the levies stated in Section 7.01 for the City of Indianapolis, a Consolidated City, and its special taxing districts, and make due report thereof as provided by law.

Section 8.02. Effective Date.

This ordinance shall be in full force and effect beginning January 1, 1996, after passage by the City-County Council, approval by the Mayor, (or passage over his veto), and approval by the County Tax Adjustment Board and State Board of Tax Commissioners as required by law; except that, any part of this ordinance providing for the budget or appropriating money for an office or officer of the county provided for by the Constitution of Indiana or a judicial office or officer shall not be subject to the veto of the Mayor.

Councillor McClamroch moved that the County Auditor, City Controller and Council Staff be instructed to make whatever technical corrections are necessary to the budgets adopted this evening. This motion passed by unanimous voice vote.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NOS. 487 and 488, 1995. Councillor Dowden asked for consent to vote on these two proposals together. Consent was given. Councillor Dowden reported that Proposal Nos. 487 and 488, 1995 were heard by the Public Safety and Criminal Justice Committee on September 20, 1995. PROPOSAL NO. 487, 1995. The proposal is an appropriation of \$7,754 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a federal grant. PROPOSAL NO. 488, 1995. The proposal is an appropriation of \$89,957 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a Family and Social Services Administration grant. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:22 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Gilmer, for adoption. Proposal Nos. 487 and 488, 1995 were adopted on the following roll call vote; viz:

26 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

2 NOT VOTING: Beadling, SerVaas

1 ABSENT: Giffin

Proposal No. 487, 1995 was retitled FISCAL ORDINANCE NO. 87, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 87, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Seven Thousand Seven Hundred Fifty-four Dollars (\$7,754) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(w) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney for an ICJI grant for the continuation of an Adult Protective Services Unit serving Marion, Hamilton, Hancock and Boone Counties.

SECTION 2. The sum of Seven Thousand Seven Hundred Fifty-four Dollars (\$7,754) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	3,319
2. Supplies	3,605
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>830</u>
TOTAL INCREASE	7,754

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants	<u>7,754</u>
TOTAL REDUCTION	7,754

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 488, 1995 was retitled FISCAL ORDINANCE NO. 88, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 88, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Eighty-nine Thousand Nine Hundred Fifty-seven Dollars (\$89,957) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(w) of the City-County Annual Budget for 1995 be, and is hereby, amended by

the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney for a FSSA grant for the continuation of an Adult Protective Services Unit serving Marion, Hamilton, Hancock and Boone counties.

SECTION 2. The sum of Eight-nine Thousand Nine Hundred Fifty-seven Dollars (\$89,957) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	71,996
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	17,991
TOTAL INCREASE	89,957

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants	89,957
TOTAL REDUCTION	89,957

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 528, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 528, 1995 on September 20, 1995. The proposal is an appropriation of \$15,812 for the County Sheriff to pay overtime to officers assigned to the FBI Task Force Program financed by a FBI grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:23 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 528, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:
0 NOT VOTING:
1 ABSENT: *Giffin*

Proposal No. 528, 1995 was retitled FISCAL ORDINANCE NO. 89, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 89, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Fifteen Thousand Eight Hundred Twelve Dollars (\$15,812) in the State and Federal Grants Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(z) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to reimburse for officers overtime for individuals assigned to the F.B.I. Task Force Program.

SECTION 2. The sum of Fifteen Thousand Eight Hundred Twelve Dollars (\$15,812) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	<u>15,812</u>
TOTAL INCREASE	15,812

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>15,812</u>
TOTAL REDUCTION	15,812

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 586, 1995. The proposal is an appropriation of \$39,725 for the Marion County Public Defender Agency to continue a project that assists with expediting cases and alleviating jail overcrowding financed by revenues from a federal grant. Councillor Dowden asked for consent to postpone Proposal No. 586, 1995 until October 16, 1995. Consent was given.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Beadling in memory of John Edward McDonald;
- (2) Councillor Jimison in memory of Royce Love and Richard Sholar; and
- (3) Councillor O'Dell in memory of Cynthia D. Lindsey.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of John Edward McDonald, Royce Love, Richard Sholar, and Cynthia D. Lindsey. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

September 25, 1995

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:30 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 25th day of September, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

Beurt Serwaas

President

Sullen Hart

Clerk of the Council

ATTEST:

(SEAL)

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**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, OCTOBER 16, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:15 p.m. on Monday, October 16, 1995, with Councillor SerVaas presiding.

Councillor Brents led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams
1 ABSENT: Black

A quorum of twenty-eight members being present, the President called the meeting to order.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen:

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council

Journal of the City-County Council

Chambers, on Monday, October 16, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

September 26, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Thursday, September 28, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 522, 523, 527, 584, 622, 623, and 624, 1995 to be held on October 16, 1995, at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

September 28, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

FISCAL ORDINANCE NO. 82, 1995, the annual budget for the Revenue Bonds Debt Service Funds for 1996

FISCAL ORDINANCE NO. 84, 1995, the annual budget for the Marion County Office of Family and Children for 1996

FISCAL ORDINANCE NO. 85, 1995, the annual budget for the Metropolitan Emergency Communications Agency for 1996

FISCAL ORDINANCE NO. 86, 1995, the annual budget for Indianapolis and Marion County for 1996

FISCAL ORDINANCE NO. 87, 1995, an appropriation of \$7,754 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a federal grant

FISCAL ORDINANCE NO. 88, 1995, an appropriation of \$89,957 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a Family and Social Services Administration grant

FISCAL ORDINANCE NO. 89, 1995, an appropriation of \$15,812 for the County Sheriff to pay overtime to officers assigned to the FBI Task Force Program financed by a FBI grant

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 1995, the annual budget for the Police Special Service District for 1996

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE 1, 1995, the annual budget for the Fire Special Service District for 1996

SOLID WASTE COLLECTION SPECIAL SERVICES FISCAL ORDINANCE 3, 1995, the annual budget for the Solid Waste Collection Special Service District for 1996

SPECIAL RESOLUTION NO. 80, 1995, recognizes the Marian College national champion track cycling team

October 16, 1995

SPECIAL RESOLUTION NO. 81, 1995, amends S.R. No. 45, 1994, as amended, by extending the expiration date for Brulin & Company, Inc. through April 30, 1996 at 2920 Dr. Andrew J. Brown Avenue (District 22)

SPECIAL RESOLUTION NO. 82, 1995, amends S.R. No. 23, 1995, by extending the expiration date for El-Beulah Retirement Village, Inc. through April 30, 1996 at 7606 East 82nd Street (District 4)

SPECIAL RESOLUTION NO. 83, 1995, an inducement resolution for Nottingham Housing Partners, Ltd. in an amount not to exceed \$19,900,000 to proceed with the acquisition, renovation and equipping of the existing 264 unit multi-family residential rental facility plus the construction of an additional 288 multi-family residential rental units located at 9300 East 21st Street (District 12)

SPECIAL ORDINANCE NO. 15, 1995, authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$19,000,000 for the Children's Museum of Indianapolis, Incorporated at 3000 North Meridian Street (District 9)

SPECIAL ORDINANCE NO. 16, 1995, authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$6,600,000 for Sutton Place Apartments at 9350 East 43rd Street (District 14)

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journals of September 11 and September 25, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 698, 1995. The proposal, sponsored by Councillors Giffin, Boyd, Dowden, Gilmer, Schneider, SerVaas, and West, remembers the life and contributions of Thomas C. Hasbrook. Councillor Giffin read the proposal and presented copies of the document to members of Mr. Hasbrook's family. Councillors SerVaas, West, Schneider, Boyd, Dowden, and Gilmer expressed their admiration of Mr. Hasbrook. William Hasbrook, his son, thanked the Council for the resolution. Councillor Giffin moved, seconded by Councillor West, for adoption. Proposal No. 698, 1995 was adopted by unanimous voice vote.

Proposal No. 698, 1995 was retitled SPECIAL RESOLUTION NO. 85, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 85, 1995

A SPECIAL RESOLUTION remembering the life and contributions of Thomas C. Hasbrook.

WHEREAS, with the encouragement and assistance of his wife Mary Jane for over a half century, Thomas C. Hasbrook refused to let a World War II disability consign the rest of his life to mere existence; and

WHEREAS, Mr. Hasbrook was a graduate of Indiana University, and was in the employ of Eli Lilly and Co. for 34 years; and

WHEREAS, in 1945, he successfully made the case before the Legislature to allow guide dogs into all public places; and was himself elected to the Indiana House of Representatives from 1951-1954, the State Senate from 1955-1958, and to the Indianapolis City & City-County Council from 1960-1975; and

WHEREAS, he led the Council through the transition of city-county consolidation, and served as the Council President from 1968-1975 whereupon Mayor Lugar invited Hasbrook to become Deputy Mayor; and

WHEREAS, from 1978 through 1992, Mr. Hasbrook was with the Marion County Health and Hospital Corporation as Executive Director and on its Board; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council pauses to remember the life and contributions of Thomas C. Hasbrook.

SECTION 2. The Council expresses its sincere condolences to his daughters Carol Holmes and Nancy Bennett; sons Daniel, William, Charles and David; and sister Margery Hindman.

SECTION 3. Tom Hasbrook was an inspiration to all who knew him; and his life, ability, leadership and determination will serve as an exemplary model for many years to come.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 699, 1995. The proposal recognizes the 503rd anniversary of Christopher Columbus' voyage to the New World and the Caito family of Indianapolis. Councillor Short read the proposal and stated that it had been presented at an earlier ceremony. Councillor Short moved for its adoption. Proposal No. 699, 1995 was adopted by unanimous voice vote.

Proposal No. 699, 1995 was retitled SPECIAL RESOLUTION NO. 84, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 84, 1995

A SPECIAL RESOLUTION recognizing the 503rd anniversary of Christopher Columbus' voyage to the New World, and the Caito family of Indianapolis.

WHEREAS, Christopher Columbus from Genoa, Italy, was keenly interested in navigation, and sailing for Spain discovered the New World on October 12, 1492; and

WHEREAS, Columbus reached beyond the limited horizon of conventional thinking and propelled the Age of Discovery to a new high level; and

WHEREAS, well-documented human relations conflicts surfaced after the Discovery, but the voyages opened up tremendous new mutually beneficial foods, medicines, flowers, business enterprises, ideas and forms of governance; and

WHEREAS, Columbus was the first of many thousands of Italian men and women to discover America; and

WHEREAS, today, the Italian-American community in Indianapolis in the spirit of discovery, pay honor to one of Indianapolis' foremost Italian-American families, the Caito family; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council pauses to reflect upon the remarkable achievement of Italian explorer Christopher Columbus.

SECTION 2. May the remarkable achievements and spirit of Columbus, and sense of family nurtured by the Caito family, serve as an inspiration as people seek their own discoveries in the classroom, laboratory, workplace, family life and in their spiritual lives.

SECTION 3. The people from the nation with the green, white and red flag can be proud of their friends, the Caito family in Indianapolis.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 700, 1995. The proposal supports an application to the Indiana Enterprise Zone Board for the expansion of the Indianapolis Enterprise Zone. Councillor Franklin read the proposal and moved for its adoption. Councillor Gilmer seconded the motion.

Councillor Williams voiced her support of this proposal, and asked for more information on the enterprise zone expansion. Councillor Borst stated that he also supports the resolution, and as Chairman of the Economic Development Committee would like the Committee to receive an update on the Indianapolis Enterprise Zone before the end of the year. Proposal No. 700, 1995 passed by unanimous voice vote.

Proposal No. 700, 1995 was retitled COUNCIL RESOLUTION NO. 65, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 65, 1995

A COUNCIL RESOLUTION supporting an application to the Indiana Enterprise Zone Board for the expansion of the Indianapolis Enterprise Zone.

WHEREAS, IC 4-4-6.1-4 authorizes the creation and modification of enterprise zones to promote employment opportunities, reduce poverty and promote economic development in identified geographic areas; and

WHEREAS, the Indiana Enterprise Zone Board has recognized a portion of the near northeast side of Indianapolis as an enterprise zone and the Urban Enterprise Association of Indianapolis as the entity that governs the Zone; and

WHEREAS, the Urban Enterprise Association of Indianapolis has been asked to expand the Indianapolis Zone boundaries to include 12 businesses for the purpose of initiating a comprehensive revitalization project on property adjacent to the current Zone; and

WHEREAS, if included in the Indianapolis Enterprise Zone, the 12 businesses expect to invest \$40 million in the Zone while creating over 400 new jobs; and

WHEREAS, there is not adequate space within the current boundaries of the Indianapolis Enterprise Zone to accommodate this investment, and the area proposed for expansion is adjacent to the Zone; and

WHEREAS, the area proposed for expansion meets the state's threshold eligibility criteria for enterprise zones in that 39% of the area's households have incomes below the federal poverty level, the unemployment rate is 18.7%, the combined number of residents--6,504--does not exceed the state's maximum limit of 8,000, and the total combined area--1.95--square miles does not exceed the state's maximum limit of three square miles; and

WHEREAS, the Board of Directors of the Urban Enterprise Association of Indianapolis has unanimously approved a resolution to expand the Indianapolis Enterprise Zone; now, therefore;

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council hereby gives its support and endorsement of the efforts by the Urban Enterprise Association of Indianapolis to make application to the Indiana Enterprise Zone Board for modification of the boundaries of the Indianapolis Enterprise Zone.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 665, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Comprehensive Zoning Maps of Marion County by updating base maps #1, #3, #19, and #32"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 666, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which provides for the continuation of an early retirement incentive plan for certain City employees as negotiated with AFSCME"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 667, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$40,000 for the County Assessor to cover purchase of computer equipment financed by transfers within the agency's Property Reassessment Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 668, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation transferring \$11,250 for additional and originally anticipated expenditures, including GIS equipment upgrades and replacements, for the Washington Township Assessor financed by transfers within the assessor's Property Reassessment Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 669, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$99,500 for the Department of Metropolitan Development, Planning Division, to transfer a federal grant for the Naval Air Warfare Center from contractual to internally operated within the department's Metropolitan Development General Fund"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 670, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes the Metropolitan Emergency Communications Agency General Fund as a special, nonreverting fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 671, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a General Resolution which amends the schedule of compensation for County employees to allow the Chief Public Defender to be paid a salary equal to 90% of the

total salary of the Marion County Prosecutor"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 672, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a P.S.S.D.F.O. which is an appropriation of \$30,000 for the Department of Public Safety, Police Division, acting as a intermediary agent, to expand the Indianapolis Police Athletic League's community policing youth activities financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 673, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$6,209,223 for the County Auditor to pay the County's obligation to the Indiana Boys School financed from the County General Fund balances"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 674, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$6,000 for the Superior Court, Criminal Division, Room Six, to cover supply, phone, and computer expenses financed by a transfer of funds within the court's County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 675, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$4,000 for the Superior Court, Criminal Division, Probation Department, to cover copying and telephone expenses financed by a transfer of funds within the department's County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 676, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$15,268 for the Prosecuting Attorney to purchase audio/visual equipment to be used in child abuse cases financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 677, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$90,000 for the Prosecuting Attorney to continue a study of alternative sentences for impaired drivers financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 678, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$482,620 for the Marion County Public Defender Agency to cover unanticipated and unbudgeted expenses financed by transfers of \$7,580 within the agency's budget and by an appropriation of \$475,040 from the County General Fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

Councillor Dowden moved to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 678, 1995, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on October 30, 1995. Councillor Smith seconded the motion.

Councillor Rhodes stated that he objects to this motion because he believes the Public Defender Agency overspends its budget.

Councillors McClamroch and Jimison voiced their support of Councillor Dowden's motion.

Councillor Rhodes requested a roll call vote. Councillor Dowden's motion passed by the following roll call vote; viz:

21 YEAS: Beadling, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Jimison, Jones, McClamroch, Moriarty Adams, Schneider, SerVaas, Short, Smith, Tilford, West, Williams

6 NAYS: Gray, Hinkle, Mullin, O'Dell, Rhodes, Shambaugh

1 NOT VOTING: Borst

1 ABSENT: Black

PROPOSAL NO. 679, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$39,724 for the Marion County Public Defender Agency to continue the Pretrial Release and Sentencing Project financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 680, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$186,150 for the Community Corrections Agency to pay for 30 additional beds in the agency's work release and residential facilities financed by state and federal grants"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 681, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$60,000 for the Community Corrections Agency to pay for additional home detention equipment and vehicles financed by state and federal grants"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 682, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$350,259 for the Community Corrections Agency to pay for home detention personnel, equipment, and supply expenses financed by revenues from the Home Detention User Fee Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 683, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation transferring \$20,210 within the Community Corrections Agency's County General Fund budget to reflect the proper character classification of maintenance agreements"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 684, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$2,500 for the Department of Public Safety, Weights and Measures Division, to purchase a computer financed

by a transfer within the division's Consolidated County Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 685, 1995. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at 46th Street and Indianola Avenue (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 686, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal at 79th Street and Payne Road (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 687, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes multi-way stops for the intersections located in the subdivision of Coopers Pointe Sections 1 and 2 (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 688, 1995. Introduced by Councillor Jones. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Brookside Parkway North Drive and Olney Street (District 10)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 689, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 26th Street and Boulevard Place (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 690, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a stop sign at Talbott Street and Michigan Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 691, 1995. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Crescent Court and LaHabra Lane (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 692, 1995. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Buckingham Drive and Cornelius Avenue (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 693, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Riverview Drive and 61st Street (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 694, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Thompson Road from State Road 37 to a point 2,000 feet west of State Road 37 (District 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 695, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes no parking restrictions on Meridian Street on the west side from Merrill Street to a point 100 feet south of Merrill Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 696, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes 55 degree parking on Washington Street on the south side from Alabama Street to Delaware Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 697, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a 35 mph speed limit on Cooper Road from 88th Street to 96th Street (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 712, 1995. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which requests the Metropolitan Development Commission to initiate and adopt amendments to the Commercial and the Special Use Zoning Ordinance so as to require that commercial bingo operations would be permitted only in a SU-44 or similar district established for premises the primary or dominate use of which is for gambling activities"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 713, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which selects Marvin Hawkins as its appointment to committees established to determine common construction wages in Marion County"; and the President referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 701-708, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on October 5, 1995." The Council did not schedule Proposal Nos. 701-708, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 701-708, 1995 were retitled REZONING ORDINANCE NOS. 155-162, 1995 and are identified as follows:

REZONING ORDINANCE NO. 155, 1995. 95-Z-139
11379 EAST 21ST STREET (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12.
THE BRADFORD GROUP, INC., by Stephen D. Mears, requests the rezoning of 40 acres, being in the D-A District, to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 156, 1995. 95-Z-140
1378 EAST 21ST STREET (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12.
THE BRADFORD GROUP, INC., by Stephen D. Mears, requests the rezoning of 40 acres, being in the D-A District, to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 157, 1995. 95-Z-126

6743 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13.

DESIGN AND PLANNING requests the rezoning of 1.083 acres, being in the D-5 District, to the C-4 classification to provide for construction of a convenience market/gasoline station.

REZONING ORDINANCE NO. 158, 1995. 95-Z-130

2809-2819 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21.

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 0.79 acre, being in the I-3-U District, to the C-2 classification to conform zoning with the existing uses and the Comprehensive Plan.

REZONING ORDINANCE NO. 159, 1995. 95-Z-131

1845-1940 CHURCHMAN AVENUE and 2338-2346 REFORMERS AVENUE (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21.

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 1.04 acres, being in the C-1 District, to the D-5 classification to provide for construction of single-family residential structures and to conform zoning with the Comprehensive Plan.

REZONING ORDINANCE NO. 160, 1995. 95-Z-134 (Amended)

524 NORTH PARK AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22.

ANTONIO SIMEONE requests the rezoning of 0.09 acre, being in the I-3-U (RC) District, to the D-8 (RC) classification to provide for single-family residence with a garage.

REZONING ORDINANCE NO. 161 1995. 95-Z-148

811 MASSACHUSETTS AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22.

WILLIAM L. CAMPBELL requests the rezoning of 0.2 acre, being in the I-3-U(RC) District, to the CBD-2(RC) classification to provide for an office addition for an existing one-story office building.

REZONING ORDINANCE NO. 162 1995. 95-Z-157 (Amended)

2409, 2411, 2423 and 2425 ENGLISH AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21.

BOB STOGSDILL, by Mitch Sever, requests the rezoning of 0.4 acre, being in the C-7 and D-5 Districts, to the C-4 classification to conform existing commercial uses and to provide for future expansion.

PROPOSAL NO. 709, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on October 5, 1995." The Council did not schedule Proposal No. 709, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 709, 1995 was retitled REZONING ORDINANCE NO. 163, 1995 and is identified as follows:

REZONING ORDINANCE NO. 163 1995. 95-Z-65

5577 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23.

SANDLIAN INVESTMENTS COMPANY, by Thomas Michael Quinn, requests the rezoning of 4.971 acres, being in the C-4 District, to the C-S classification to provide for construction of mini-warehouses.

PROPOSAL NO. 710, 1995.. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on October 2, 1995." The Council did not schedule Proposal No. 710, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 710, 1995 was retitled REZONING ORDINANCE NO. 164, 1995 and is identified as follows:

REZONING ORDINANCE NO. 164 1995. 95-Z-107
8078 WEST 21ST STREET (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18.
BRENWICK LAND COMPANY, L.P., by David R. Warshauer, requests the rezoning of 106 acres, being in the SU-34 and D-A District, to the D-3 classification to provide for a single-family residential development.

PROPOSAL NO. 711, 1995.. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on September 22, 1995." The Council did not schedule Proposal No. 711, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 711, 1995 was retitled REZONING ORDINANCE NO. 165, 1995 and is identified as follows:

REZONING ORDINANCE NO. 165 1995. 95-Z-108
2233 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21.
DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 0.32 acre, being in the I-3-U District, to the C-5 classification to conform zoning with the existing commercial uses in accordance with the Highland-Brookside Neighborhood Plan.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 522, 1995. Councillor O'Dell gave the Committee report since Councillor Giffin was absent at the Committee hearing. Councillor O'Dell reported that the Parks and Recreation Committee heard Proposal No. 522, 1995 on September 21, 1995. The proposal is an appropriation of \$150,000 for the Department of Parks and Recreation to purchase additional land for the expansion of Juan Solomon Park financed by revenues from the Park Land Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:13 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Giffin, for adoption. Proposal No. 522, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Tilford, Williams

0 NAYS:

2 NOT VOTING: Smith, West

1 ABSENT: Black

Proposal No. 522, 1995 was retitled FISCAL ORDINANCE NO. 90, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 90, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Fifty Thousand Dollars (\$150,000) in the Park Land Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Park Land Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (o) of the City-County Annual Budget for 1995, be, and is hereby, amended by

the increases and reductions hereinafter stated for purposes of The Department of Parks and Recreation to acquire additional land for the expansion of the Juan Solomon Park.

SECTION 2. The sum of One Hundred Fifty Thousand Dollars (\$150,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK LAND FUND</u>
4. Capital Outlay	<u>150,000</u>
TOTAL INCREASE	150,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>PARK LAND FUND</u>
Unappropriated and Unencumbered	
Park Land Fund	<u>150,000</u>
TOTAL REDUCTION	150,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 523, 1995. Councillor O'Dell reported that the Parks and Recreation Committee heard Proposal No. 523, 1995 on September 21, 1995. The proposal is an appropriation of \$783,500 for the Department of Parks and Recreation to cover repair and renovation expenses at numerous park facilities financed by revenues from the Consolidated County Cumulative Capital Development Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:18 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Giffin, for adoption. Proposal No. 523, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:
1 NOT VOTING: *Gray*
1 ABSENT: *Black*

Councillor Beadling stated that she would like the Indy Parks Department to have more dialogue with the Parks Department in Lawrence Township. The President stated that the Mayor of Lawrence has asked that the two park departments have a closer relationship. The President asked that a meeting be set up with the Mayor of Lawrence. Councillor Giffin concurred.

Proposal No. 523, 1995 was retitled FISCAL ORDINANCE NO. 91, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 91, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Seven Hundred Eighty-three Thousand Five Hundred Dollars (\$783,500) in the Consolidated County Cumulative Capital Development Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Consolidated County Cumulative Capital Development Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (o) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of The Department of Parks and Recreation to repair and renovation of various park facilities throughout Marion County.

SECTION 2. The sum of Seven Hundred Eighty-three Thousand Five Hundred Dollars (\$783,500) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>CONSOLIDATED COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
4. Capital Outlay	<u>783,500</u>
TOTAL INCREASE	783,500

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>CONSOLIDATED COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
Unappropriated and Unencumbered	
Consolidated County Cumulative Capital Development Fund	<u>783,500</u>
TOTAL REDUCTION	783,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 527, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 527, 1995 on October 11, 1995. The proposal distributes \$489,942 of Uniform Traffic Ticket revenue to the Prosecutor, Sheriff, Presiding Judge of the Municipal Courts, and the Auditor. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:20 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 527, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:
1 ABSENT: *Black*

Proposal No. 527, 1995 was retitled FISCAL ORDINANCE NO. 92, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 92, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Four Hundred Eighty-nine Thousand Nine Hundred Forty-two Dollars (\$489,942) in the Deferral Program Fees Fund for purposes of the Prosecuting Attorney, County Sheriff, Presiding Judge of the Municipal Courts and County Auditor and reducing the unappropriated and unencumbered balance in the Deferral Program Fees Fund.

October 16, 1995

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(w),(z),(cc),(b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Prosecuting Attorney, County Sheriff, Presiding Judge of the Municipal Courts and County Auditor representing the mid-year distribution of fund balance.

SECTION 2. The sum of Four Hundred Eighty-nine Thousand Nine Hundred Forty-two Dollars (\$489,942) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>DEFERRAL PROGRAM FEES FUND</u>
1. Personal Services	96,681
3. Other Services and Charges	87,263
<u>COUNTY SHERIFF</u>	
2. Supplies	30,000
3. Other Services and Charges	23,629
<u>PRESIDING JUDGE OF THE MUNICIPAL COURTS</u>	
3. Other Services and Charges	125,559
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	28,878
3. Other Services and Charges	<u>97,932</u>
TOTAL INCREASE	489,942

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>DEFERRAL PROGRAM FEES FUND</u>
Unappropriated and Unencumbered	
Deferral Program Fees Fund	<u>489,942</u>
TOTAL REDUCTION	489,942

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 584, 1995. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 584, 1995 on September 14, 1995. The proposal is an appropriation of \$3,401,732 for the Marion County Office of Family and Children to pay the expenses of the wards in institutions financed by revenues from the Family and Children Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:22 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Smith, for adoption. Proposal No. 584, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:
1 ABSENT: *Black*

Proposal No. 584, 1995 was retitled FISCAL ORDINANCE NO. 93, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 93, 1995

A FISCAL ORDINANCE amending the Marion County Office of Family and Children Annual Budget for 1995 (City-County Fiscal Ordinance No. 86, 1994) appropriating an additional Three Million Four Hundred One Thousand Seven Hundred Thirty-two Dollars (\$3,401,732) in the Family and Children Fund for purposes of the Marion County Office of Family and Children and reducing the unappropriated and unencumbered balance in the Family and Children Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Marion County Office of Family and Children Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of for the Marion County Office of Family and Children to pay the expenses of wards in institutions.

SECTION 2. The sum of Three Million Four Hundred One Thousand Seven Hundred Thirty-two Dollars (\$3,401,732) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY OFFICE OF FAMILY AND CHILDREN</u>	<u>FAMILY AND CHILDREN FUND</u>
3. Other Services and Charges	<u>3,401,732</u>
TOTAL INCREASE	3,401,732

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>FAMILY AND CHILDREN FUND</u>
Unappropriated and Unencumbered	
Family and Children Fund	<u>3,401,732</u>
TOTAL REDUCTION	3,401,732

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 586, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 586, 1995 on October 11, 1995. The proposal is an appropriation of \$39,725 for the Marion County Public Defender Agency to continue a project that assists with expediting cases and alleviating jail overcrowding financed by revenues from a federal grant. The Committee postponed this proposal since there was no one present from the Public Defender Agency at the October 11th meeting. Councillor Dowden said that the Auditor has since informed him that the Council should take action on this proposal at this meeting.

The President called for public testimony at 8:27 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Jimison, for adoption. Proposal No. 586, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
1 NAYS: *Rhodes*
1 ABSENT: *Black*

Proposal No. 586, 1995 was retitled FISCAL ORDINANCE NO. 94, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 94, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Thirty-nine Thousand Seven Hundred Twenty-five Dollars (\$39,725) in the State and Federal Grants Fund for purposes of the Public Defender Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(v) and (b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Public Defender Agency and the County Auditor for funds to extend a project assisting with expedited cases and alleviating jail overcrowding.

SECTION 2. The sum of Thirty-nine Thousand Seven Hundred Twenty-five Dollars (\$39,725) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	19,471
2. Supplies	525
3. Other Services and Charges	13,605
 <u>COUNTY AUDITOR</u>	
1. Personal Services, fringes	<u>6,124</u>
TOTAL INCREASE	39,725

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants	<u>39,725</u>
TOTAL REDUCTION	39,725

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 622, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 622, 1995 on October 11, 1995. The proposal is an appropriation of \$328,000 for the Prosecuting Attorney, County Sheriff, and the County Auditor to continue the comprehensive traffic safety program financed by a federal grant. By a 5-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

[Clerk's Note: The President passed the gavel to Vice President McClamroch.]

The Vice President called for public testimony at 8:28 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 622, 1995 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 ABSENT: Black

Proposal No. 622, 1995 was retitled FISCAL ORDINANCE NO. 95, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 95, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Three Hundred Twenty-eight Thousand Dollars (\$328,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney, County Sheriff and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02.(w),(z),and (b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney, County Sheriff and County Auditor for the continuation of a comprehensive traffic safety program in Marion County.

SECTION 2. The sum of Three Hundred Twenty-eight Thousand Dollars (\$328,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	75,850
2. Supplies	5,274
3. Other Services and Charges	166,563
 <u>COUNTY SHERIFF</u>	
1. Personal Services	65,600
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	14,713
TOTAL INCREASE	328,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	328,000
TOTAL REDUCTION	328,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

[Clerk's Note: The Vice President passed the gavel back to the President.]

PROPOSAL NO. 623, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 623, 1995 on October 11, 1995. The proposal is an appropriation of \$23,171 for the County Sheriff and County Auditor to continue the Child Abuse Intervention Program financed by a federal grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:30 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 623, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

1 NOT VOTING: *Gilmer*

1 ABSENT: *Black*

Proposal No. 623, 1995 was retitled FISCAL ORDINANCE NO. 96, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 96, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Twenty-three Thousand One Hundred Seventy-one Dollars (\$23,171) in the State and Federal Grants Fund for purposes of the County Sheriff and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02.(z) and (b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff and County Auditor for the continued operation of the Child Abuse Intervention Program.

SECTION 2. The sum of Twenty-three Thousand One Hundred Seventy-one Dollars (\$23,171) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	18,537
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	4,634
TOTAL INCREASE	23,171

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	23,171
TOTAL REDUCTION	23,171

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 624, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 624, 1995 on October 11, 1995. The proposal is an appropriation of \$47,240 for the County Sheriff and County Auditor to continue the Victim Assistance Program financed by a state grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:31 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 624, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

1 NOT VOTING: *Giffin*

1 ABSENT: *Black*

Proposal No. 624, 1995 was retitled FISCAL ORDINANCE NO. 97, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 97, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Forty-seven Thousand Two Hundred Forty Dollars (\$47,240) in the State and Federal Grants Fund for purposes of the County-1X Sheriff and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02.(z) and (b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff and County Auditor for the continued operation of the Victim Assistance Program.

SECTION 2. The sum of Forty-seven Thousand Two Hundred Forty Dollars (\$47,240) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	37,792
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	9,448
TOTAL INCREASE	47,240

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants	47,240
TOTAL REDUCTION	47,240

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NOS. 529 and 530, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 529 and 530, 1995 on October 11, 1995. PROPOSAL NO. 529, 1995. The proposal, sponsored by Councillor Moriarty Adams, is an appropriation of \$2,000 for the Superior Court, Criminal Division, Room One, to cover supplies and other court expenses financed by a transfer within the court's budget. PROPOSAL NO. 530, 1995. The proposal, sponsored by Councillor Golc, is an appropriation of \$1,500 for the Marion County Drug Court to cover supply expenses financed by a transfer within the court's budget. By a 6-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 529, 1995 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 ABSENT: Black

Proposal No. 529, 1995 was retitled FISCAL ORDINANCE NO. 98, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 98, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Two Thousand Dollars (\$2,000) in the County General Fund for purposes of the Superior Court, Criminal Division, Room One and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(ee) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Room One for supplies and other court expenses.

SECTION 2. The sum of Two Thousand Dollars (\$2,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM ONE</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	1,000
3. Other Services and Charges	<u>1,000</u>
TOTAL INCREASE	2,000

SECTION 4. The said increased appropriation is funded by the following reductions:

SUPERIOR COURT, CRIMINAL DIVISION, ROOM ONE

COUNTY GENERAL FUND

1. Personal Services
TOTAL DECREASE

2,000
2,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 530, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

1 NOT VOTING: *Gilmer*

1 ABSENT: *Black*

Proposal No. 530, 1995 was retitled FISCAL ORDINANCE NO. 99, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 99, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional One Thousand Five Hundred Dollars (\$1,500) in the County General Fund for purposes of the Marion County Drug Court and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(vv) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Drug Court for supplies for balance of the year.

SECTION 2. The sum of One Thousand Five Hundred Dollars (\$1,500) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY DRUG COURT

COUNTY GENERAL FUND

2. Supplies
TOTAL INCREASE

1,500
1,500

SECTION 4. The said increased appropriation is funded by the following reductions:

MARION COUNTY DRUG COURT

COUNTY GENERAL FUND

3. Other Services and Charges
TOTAL DECREASE

1,500
1,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 583, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 583, 1995 on September 18 and October 5, 1995. The proposal approves a lease between the Department of Metropolitan Development and the Murat Temple Association, Inc. Councillor Borst said that there are still unanswered questions concerning this lease; therefore, he moved, seconded by Councillor Rhodes, to postpone Proposal No. 583, 1995 until October 30, 1995. This motion passed by unanimous voice vote.

PROPOSAL NO. 585, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 585, 1995 on October 11, 1995. The proposal is an appropriation transferring \$35,500 to the correct character in the State and Federal Grants Fund for the Prosecuting Attorney to pay necessary expenses associated with the Governor's Council on Impaired and Dangerous Driving. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Mullin, for adoption. Proposal No. 585, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

1 ABSENT: *Black*

Proposal No. 585, 1995 was retitled FISCAL ORDINANCE NO. 100, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 100, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Thirty-five Thousand Five Hundred Dollars (\$35,500) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(w) and (b) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney and County Auditor to transfer funds to the correct character to pay necessary expenses of the Governor's Council on Impaired and Dangerous Driving.

SECTION 2. The sum of Thirty-five Thousand Five Hundred Dollars (\$35,500) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>35,500</u>
TOTAL INCREASE	35,500

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	18,000

<u>COUNTY AUDITOR</u>	
1. Personal Services, fringes	<u>17,500</u>
TOTAL DECREASE	35,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 587, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 587, 1995 on October 12, 1995. The proposal moves responsibility for

management of abandoned vehicles from the Department of Public Works, Solid Waste Management Division, to the Contract Compliance Division. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Beadling, for adoption. Proposal No. 587, 1995 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 ABSENT: Black

Proposal No. 587, 1995 was retitled GENERAL ORDINANCE NO. 134, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 134, 1995

A GENERAL ORDINANCE amending Sections 261-24, 261-101, 261-201, and 261-301 of the Revised Code of the Consolidated City and County.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 261-24 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 271-24. Powers

The board of public works shall have the following powers:

- (1) To review all budgets prepared by the department and recommend to the city-county council any revisions the board feels desirable;
- (2) To hold any hearings to be held following public notice and make findings and determinations required by applicable law;
- (3) To approve the award and amendment of contracts let by the department for the purchase or lease of capital equipment or other property where the contract is required to be bid under IC 36-1-9;
- (4) To approve the award and amendment of public construction contracts let by the department which are required to be bid under IC 36-1-12;
- (5) To approve the acquisition of and leases for real estate by the department;
- (6) To approve the employment of persons engaged by the department by contract to render professional or consulting services;
- (7) To approve the disposal of property by the department as specified in IC 36-1-11;
- (8) To exercise waste collection and disposal powers as described in IC 36-9-31;
- (9) To exercise the powers of the board in chapters 17½, 19, and 671, articles I, III, IV and VI, of the Code of Indianapolis and Marion County, Indiana;
- (10) To exercise all powers not specifically stated herein formerly granted to the board of public works and not transferred to the board of capital asset management according to IC 36-3-4-23;
- (11) To contract with any individual or corporation for supplying the city with gas, water, steam, power, heat or electricity, but any such contract shall be submitted to the city-county council for

approval. No such contract shall be for a term of longer than twenty-five (25) years. This power shall not interfere with the exclusive power of the board of ~~transportation capital asset management~~ to enter into contracts for the lighting of public streets pursuant to chapter 271.

(12) Any other powers granted by statute or ordinance or delegated by the mayor.

SECTION 2. Section 261-101 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 261-101. Contract compliance division.

The contract compliance division shall:

- (1) Provide for the treatment of wastewater;
- (2) Monitor and coordinate with the Department of Capital Asset Management for the design, construction, and repair of wastewater treatment facilities;
- (3) Provide for the billing and collection of sewer service accounts;
- (4) Administer and monitor compliance with contracts between the City of Indianapolis and private contractors as designated by the director of the department of public works;
- (5) Administer the sweeping of public streets and the mowing of medians and public roadsides;
- (6) Coordinate compliance with the environmental nuisance ordinance and the department of public works weed abatement program; ~~and~~
- ~~(7) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor. Ticket, tow and dispose of abandoned vehicles in the consolidated city, except to the extent the department of public safety disposes of vehicles impounded and stored by the police department and subject to disposal as abandoned vehicles pursuant to chapter 29 of the Code of Indianapolis and Marion County, Indiana; and~~
- (8) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

SECTION 3. Section 261-201 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 261-201. Solid waste management division.

The solid waste management division shall:

- (1) Provide for collection and disposal of solid waste in the solid waste collection and disposal service districts;
- ~~(2) Ticket, tow and dispose of abandoned vehicles in the consolidated city, except to the extent the department of public safety disposes of vehicles impounded and stored by the police department and subject to disposal as abandoned vehicles pursuant to chapter 29 of the Code of Indianapolis and Marion County, Indiana; and~~
- ~~(3)~~ Facilitate solid waste reduction programs;
- ~~(4)~~ Facilitate ordinance enforcement related to solid waste management;
- ~~(5)~~ Provide for disposal of dead animal bodies and body parts as provided for in chapter 6 of the Code of Indianapolis and Marion County;
- ~~(6)~~ Be responsible for solid waste management activities as provided by law; and
- ~~(7)~~ Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

SECTION 4. Section 261-301 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 261-301. Environmental resources management division.

The environmental resources management division shall:

- (1) Provide management and support to the department in the areas of environmental policy and planning for air, water and land pollution control;
- (2) Perform environmental audits and assessments and pollution control programs to improve the environmental quality in the consolidated city with regard to groundwater, surface water and hazardous waste;
- (3) Approve plans and issue permits for, and otherwise monitor and regulate, industrial, commercial and any other nondomestic discharges into the sewer system, as described in chapter 671 of the Revised Code of Indianapolis and Marion County, Indiana ~~the Consolidated City and County~~;
- (4) Monitor and regulate septage hauling;
- (5) Respond to hazardous waste spills and other emergencies which threaten contamination of sewers, ~~groundwater or surface water~~ and the environment;
- (6) Provide environmental management services and assistance to other divisions and departments as necessary;
- (7) Carry out strategies to achieve and maintain acceptable air purity in the county as provided in chapter 4 of the Code of Indianapolis and Marion County, Indiana;
- (8) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

SECTION 5. The express or implied repeal or amendment by this ordinance or any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 6. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 7. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 615, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 615, 1995 on October 2, 1995. The proposal is a licensure of public pay telephones. Councillor Rhodes stated that some areas where pay phones have been installed have become sites for loitering and/or drug activity. In a joint effort with the Indiana Payphone Association and Ameritech, guidelines have been established for the placement of outdoor pay phones, and a licensing fee of \$52 per pay phone provider has been proposed by this proposal. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Rhodes moved that in Sec. 936-2 (c) the words "per provider" should be added at the end of the sentence. The motion was seconded by Councillor Coughenour and passed by unanimous voice vote.

Councillor Beadling asked who would follow-up on these new rules. Councillor Rhodes replied the Police Department will answer the complaints and the Controller's Office will supervise the licensing of the pay phone providers.

Councillor West stated that he believes the director of the Department of Metropolitan Development should be part of this effort because most citizens direct their complaints to the township administrators first.

Councillor Schneider stated that he opposes this proposal because it is more regulation that is not necessary. Councillors Short, Coughenour, Gray, and Jimison, voiced their support of this proposal because it is a tool for law enforcement to prevent drug dealing. Councillor O'Dell said that he hopes these restricted pay phones will be clearly marked.

Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 615, 1995, as amended, was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 ABSENT: Black

Councillor Williams asked for consent to introduce two guests in the audience. Consent was given. Ms. Williams recognized Fred Roetter and Marnie Bader. She said that they have been an incredible help to her and her constituents with respect to liquor stores and drug issues. Councillor Jimison said that she would like to thank Sue Beesley, Corporation Counsel, and her staff for the information on the pay phone issue.

Proposal No. 615, 1995, as amended, was retitled GENERAL ORDINANCE NO. 135, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 135, 1995
Proposal No. 615, 1995

A GENERAL ORDINANCE adding a new Chapter 936 to the "Revised Code of the Consolidated City and County," regarding licensure of public pay telephones.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby amended to add a NEW Chapter 936 to read as follows:

CHAPTER 936. PUBLIC PAY TELEPHONES

Sec. 936-1. Definition.

As used in this chapter, "public pay telephone" shall mean any outdoor telephone, or telephone booth, which is available for use by the general public for a fee.

Sec. 936-2. License Required; Application.

(a) It shall be unlawful for any provider to own or maintain a public pay telephone without that provider first obtaining a license from the controller.

(b) The application for a public pay telephone license shall be made to the controller, and shall provide such information as the controller deems appropriate.

(c) The application fee for this license shall be fifty-two dollars (\$52.00) per provider.

Sec. 936-3. License Renewal.

Every year on January 1, each license issued pursuant to this chapter shall be renewed automatically by the controller and without application or the payment of an additional fee by the licensee, unless at the time of renewal

- (1) the licensee by law is no longer qualified, or
- (2) the license has been revoked or suspended, or is the subject of administrative or judicial proceedings which have the potential to result in the revocation or suspension of the license.

SECTION 2. All providers, who at the time of passage of this ordinance own or maintain a public telephone which is required by this ordinance to be licensed, shall apply for the license within thirty (30) days following the effective date of this ordinance. During the period of time beginning on the effective date and concluding on the issuance or denial of the license, these providers shall not be deemed in violation of Sec. 936-2.

SECTION 3. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provisions or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 627, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 627, 1995 on October 11, 1995. The proposal, sponsored by Councillor Borst, is an appropriation of \$40,000 for the Forensic Services Agency to cover additional supplies and training expenditures for the Abu Dhabi police officers financed by a transfer within the agency's County General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 627, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West*

0 NAYS:

2 NOT VOTING: *Jones, Williams*

1 ABSENT: *Black*

Proposal No. 627, 1995 was retitled FISCAL ORDINANCE NO. 101, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 101, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Forty Thousand Dollars (\$40,000) in the County General Fund for purposes of the Forensic Services Agency and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02.(y) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Forensic Services Agency for additional supplies and training costs associated with the training of Abu Dhabi police officers.

SECTION 2. The sum of Forty Thousand Dollars (\$40,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	15,000
3. Other Services and Charges	25,000
TOTAL INCREASE	40,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	40,000
TOTAL DECREASE	40,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 628, 629, 631 and 632, 1995. Councillor Coughenour asked for consent to discuss these four proposals together. Consent was given. Councillor Coughenour reported that the Public Works Committee heard Proposal Nos. 628, 629, 631, and 632, 1995 on October 12, 1995. PROPOSAL NO. 628, 1995. The proposal is an appropriation of \$80,000 for the Department of Public Works, Administration Division, to cover shortfalls in Personal Services financed by a transfer within the division's Consolidated County Fund. PROPOSAL NO. 629, 1995. The proposal is an appropriation of \$1,181,757 for the Department of Public Works, Contract Compliance Division, to fund additional expenses relating to the operation of the Advanced Wastewater Treatment facilities financed by transfers from the Sanitation General Fund, Flood General Fund, and the Transportation General Fund. PROPOSAL NO. 631, 1995. The proposal is an appropriation reducing by \$1,098,000 the budget of the Department of Public Works, Solid Waste Management Division, from the Solid Waste Disposal Fund. PROPOSAL NO. 632, 1995. The proposal is an appropriation of \$275,000 for the Department of Public Works, Solid Waste Management Division, to fund overtime for the fall leaf program financed by a transfer within the division's Solid Waste Collection Fund. By unanimous votes, the Committee reported Proposal Nos. 628 and 632, 1995 to the Council with the recommendation that they do pass. By unanimous votes, the Committee reported Proposal Nos. 629 and 631, 1995 to the Council with the recommendation that they do pass as amended. Councillor Coughenour moved, seconded by Councillor Rhodes, for adoption. Proposal Nos. 628, 629, and 631, 1995 were adopted on the following roll call vote; viz:

26 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

2 NOT VOTING: Dowden, Giffin

1 ABSENT: Black

Proposal No. 628, 1995 was retitled FISCAL ORDINANCE NO. 102, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 102, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Eighty Thousand Dollars (\$80,000) in the Consolidated County Fund for purposes of the Department of Public Works, Administration Division and reducing certain other appropriations for the Department of Public Works, Administration Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01. (l) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Public Works, Administration Division providing funding for projected shortfall in salaries.

SECTION 2. The sum of Eighty Thousand Dollars (\$80,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS
ADMINISTRATION DIVISION

CONSOLIDATED COUNTY FUND

1. Personal Services	80,000
TOTAL INCREASE	80,000

SECTION 4. The said increased appropriation is funded by the following reductions:

DEPARTMENT OF PUBLIC WORKS
ADMINISTRATION DIVISION

CONSOLIDATED COUNTY FUND

3. Other Services and Charges	80,000
TOTAL REDUCTION	80,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 629, 1995, as amended, was retitled FISCAL ORDINANCE NO. 103, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 103, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional One Million Two Hundred Fifty-six Thousand Seven Hundred Fifty-seven Dollars (\$1,256,757) in the Sanitation General Fund for purposes of the Department of Public Works, Contract Compliance Division and reducing certain other appropriations for the Department of Public Works, Contract Compliance Division in Flood General, Transportation General, and Sanitation General Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01. (l) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Public Works, Contract Compliance Division to provide funding for unanticipated corrective maintenance for the Advanced Wastewater Treatment Facility, cost of living adjustments for contractor payments, property and flood insurance and increases due to hydraulic loading.

SECTION 2. The sum of One Million Two Hundred Fifty-six Thousand Seven Hundred Fifty-seven Dollars (\$1,256,757) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>SANITATION GENERAL FUND</u>
<u>CONTRACT COMPLIANCE DIVISION</u>	
3. Other Services and Charges	1,256,757
TOTAL INCREASE	1,256,757

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>SANITATION GENERAL FUND</u>
<u>CONTRACT COMPLIANCE DIVISION</u>	
1. Personal Services	125,795
2. Supplies	15,169
Unappropriated and Unencumbered	1,115,793
TOTAL REDUCTION	1,256,757

<u>CONTRACT COMPLIANCE DIVISION</u>	<u>FLOOD GENERAL FUND</u>
2. Supplies	1,004
3. Other Services and Charges	2,000
TOTAL REDUCTION	3,004

<u>CONTRACT COMPLIANCE DIVISION</u>	<u>TRANSPORTATION GENERAL FUND</u>
2. Supplies	1,506
3. Other Services and Charges	192,777
4. Capital Outlay	3,000
TOTAL REDUCTION	197,283

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 631, 1995, as amended, was retitled FISCAL ORDINANCE NO. 104, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 104, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating a reduction of Three Million Four Hundred Fifty-eight Thousand Dollars (\$3,458,000) in the Solid Waste Disposal Fund for purposes of the Department of Public Works, Solid Waste Management Division and increasing the unappropriated and unencumbered balance in the Solid Waste Disposal Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To reflect changes that have arisen since the adoption of the annual budget, Section 1.01. (l) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of improvement of fund balance.

SECTION 2. The sum of Three Million Four Hundred Fifty-eight Thousand Dollars (\$3,458,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by increasing the unappropriated balances as shown in Section 4.

SECTION 3. The following reduction appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>SOLID WASTE DISPOSAL FUND</u>
<u>SOLID WASTE MANAGEMENT DIVISION</u>	
3. Other Services and Charges	<u>3,458,000</u>
TOTAL REDUCTION	3,458,000

SECTION 4. The said reduction in appropriation shall increase:

	<u>SOLID WASTE DISPOSAL FUND</u>
Unappropriated and Unencumbered Fund Balance	
Solid Waste Disposal Fund	<u>3,458,000</u>
TOTAL INCREASE	3,458,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The President convened the Solid Waste Collection Special Service District Council to vote on Proposal No. 632, 1995.

Councillor O'Dell asked why there is always a new appropriation for the fall leaf program every year. Michael Stayton, Director, Department of Public Works, said that Solid Waste Management Division needed additional funds because the union increase and the increase in the health insurance were not budgeted.

Proposal No. 632, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, Williams

0 NAYS:

2 NOT VOTING: Borst, West

1 ABSENT: Black

Proposal No. 632, 1995 was retitled SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL FISCAL ORDINANCE NO. 4, 1995, and reads as follows:

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 1995

A FISCAL ORDINANCE amending the Solid Waste Collection Special Service District Annual Budget for 1995 (Solid Waste Special Service District Fiscal Ordinance No. 2, 1994) transferring and appropriating an additional Two Hundred Seventy-five Thousand Dollars (\$275,000) in the Solid Waste Collection Fund for purposes of the Department of Public Works, Solid Waste Management Division and reducing certain other appropriations for the Solid Waste Management Division and Contract Compliance Division.

BE IT ORDAINED BY THE SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Solid Waste Collection Special Service District Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Public Works, Solid Waste Management Division and Contract Compliance Division to provide funds for additional overtime for the fall leaf program.

SECTION 2. The sum of Two Hundred Seventy-five Thousand Dollars (\$275,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>SOLID WASTE MANAGEMENT DIVISION</u>	<u>SOLID WASTE COLLECTION FUND</u>
1. Personal Services	<u>275,000</u>
TOTAL INCREASE	275,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>SOLID WASTE MANAGEMENT DIVISION</u>	<u>SOLID WASTE COLLECTION FUND</u>
3. Other Services and Charges	<u>277,000</u>
TOTAL REDUCTION	277,000

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>CONTRACT COMPLIANCE DIVISION</u>	<u>SOLID WASTE COLLECTION FUND</u>
2. Supplies	<u>2,250</u>
TOTAL REDUCTION	2,250

Increase in Unappropriated and Unencumbered Fund Balance	4,250
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SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 654, 1995. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 654, 1995 on October 3, 1995. The proposal, sponsored by Councillor McClamroch, establishes a county general fund emergency reserve account. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor McClamroch, for adoption. Proposal No. 654, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:
1 NOT VOTING: *Borst*
1 ABSENT: *Black*

Proposal No. 654, 1995 was retitled GENERAL ORDINANCE NO. 136, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 136, 1995

A GENERAL ORDINANCE establishing a county general fund emergency reserve account.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The "Revised Code Of The Consolidated City And County" be, and is hereby, amended by adding a new ARTICLE I in CHAPTER 135, to read as follows:

ARTICLE I - RESERVE ACCOUNTS

Sec. 135-101. County General Fund Reserve Account established. There is hereby established a County General Fund Reserve Account as subfund of the County General Fund.

Sec. 135-101. There may be appropriated annually as part of the annual budget sums designated for deposit in the County General Fund Reserve Account in such amounts as the City-County Council may determine in connection with adoption of the Annual Budget for the county in amounts deemed prudent to provide for uncertainties in tax assessments or potential increases in non-discretionary obligations of the county.

Sec. 135-102. Uses of Reserve Account. Expenditures shall be made from the Reserve Account only upon specific appropriation by ordinance of the City-County Council and only for the payment of extraordinary expenses that could not have been reasonably calculated or anticipated at the time of the adoption of the annual budget.

Sec. 135-103. Reserve Account Balances. The balances in the Reserve Account shall not revert at the end of the fiscal year and shall not be considered an operating balance for the County General Fund. The unencumbered balance in the Reserve Account shall not accumulate to more than ten percent (10%) of the County General Fund property tax levy for the preceding calendar year.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 35-3-4-14.

Councillor West stated that the Metropolitan Development Committee heard Proposal No. 478, 1995 on August 29, 1995. Proposal No. 478, 1995 establishes certain zoning procedures for Marion County. He said that if the Council does not take any action on this proposal, it becomes effective October 18, 1995.

The President said that unless a Councillor wishes to hear a transportation proposal separately, Councillor Gilmer will group the proposals into two sets. Councillor Curry said that he would like to withdraw Proposal No. 552, 1995 and vote on it separately.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 494, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 590, 592, 593, 594, 596, 597, 598, 599, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, and 652, 1995 on October 4, 1995.

Councillor Gilmer said that the first set includes Proposal Nos. 533, 534, 535, 590, and 638, 1995. PROPOSAL NO. 533, 1995. The proposal, sponsored by Councillors Coughenour and Smith, authorizes a traffic signal at Shelbyville Road and Emerson Avenue (Districts 23, 24). PROPOSAL NO. 534, 1995. The proposal, sponsored by Councillor Golc, authorizes a traffic signal for Lilly Technology Center West Driveway located at 1530 South at Harding Street (District 17). PROPOSAL NO. 535, 1995. The proposal, sponsored by Councillor Brents, authorizes a traffic signal at St. Clair Street and Dr. Martin Luther King Jr. Street (District 16). PROPOSAL NO. 590, 1995. The proposal, sponsored by Councillors Shambaugh and Gray, authorizes a traffic signal for Kevin Way and 38th Street (Districts 8, 9). PROPOSAL NO. 638, 1995. The proposal, sponsored by Councillors Hinkle and Giffin, authorizes a traffic signal at Morris Street and Sigsbee Street (Districts 18, 19). By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal Nos. 533, 534, 535, 590, and 638, 1995 were adopted on the following roll call votes; viz:

26 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

2 NOT VOTING: Franklin, Hinkle

1 ABSENT: Black

Proposal No. 533, 1995 was retitled GENERAL ORDINANCE NO. 137, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 137, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40, Pg. 8	Emerson Av, Shelbyville Rd	None	All Way Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40, Pg. 8	Emerson Av, Shelbyville Rd	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 534, 1995 was retitled GENERAL ORDINANCE NO. 138, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 138, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
31, Pg. 8	Lilly Technology Center West Driveway (1530 S), Harding St	None	Signal

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 535, 1995 was retitled GENERAL ORDINANCE NO. 139, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 139, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 11	Dr. MLK, Jr. St, St. Clair St	Dr. MLK, Jr. St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 11	Dr. MLK, Jr. St, St. Clair St	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 590, 1995 was retitled GENERAL ORDINANCE NO. 140, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 140, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16, Pg. 14	Kevin Way, 38th St	38th St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16, Pg. 14	Kevin Way, 38th St	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 638, 1995 was retitled GENERAL ORDINANCE NO. 141, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 141, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
29, Pg. 5	Morris St, Sigsbee St	Morris St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
29, Pg. 5	Morris St, Sigsbee St	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 494, 1995. The proposal, sponsored by Councillor Brents, authorizes parking for marked police vehicles only for the southside of Market Street from Alabama Street to Delaware Street (District 16). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Brents, for adoption.

Councillor Williams pointed out that there are more police cars parking in front of City Market and in the City Market parking lots and the police are not dropping money into those parking meters. Councillor Gilmer concurred. Councillor Coughenour stated that it has become very difficult now to drop people off and pick people up with the barricades placed on Market Street. The President asked Councillor Gilmer to look into this matter further and report back to the Council at its next meeting. Councillor West suggested discussing this matter with Indianapolis Downtown, Inc., especially since there are two former police chiefs working with this organization.

Councillor McClamroch moved the question.

Proposal No. 494, 1995 was adopted by the following roll call vote; viz:

23 YEAS: Borst, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford
5 NAYS: Beadling, Boyd, Coughenour, West, Williams
1 ABSENT: Black

Proposal No. 494, 1995 was retitled GENERAL ORDINANCE NO. 142, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 142, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-266, Special parking privileges for certain persons or vehicles in certain locations.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-266, Special parking privileges for certain persons or vehicles in certain locations, be, and the same is hereby, amended by the deletion of the following, to wit:

(a) Notwithstanding any prohibitions or restrictions elsewhere in this chapter upon parking or temporary stops applicable to the general public, the following persons or vehicles are hereby granted the special parking privileges set out in this section, at and within the locations designated:

- (1) Any vehicles so marked, of the city police department, the county sheriff, the state police and the United States Marshall, and no others, may park at any time, from 6:00 a.m. to 6:00 p.m. in the following locations.

Market Street, on the southside,
from Alabama Street to Delaware Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 536, 1995. The proposal, sponsored by Councillor Golc, authorizes a multi-way stop at Lyons Avenue and Ray Street (District 17). PROPOSAL NO. 537, 1995. The proposal, sponsored by Councillor Golc, authorizes a multi-way stop at Farnsworth Street and Lyons Avenue (District 17). PROPOSAL NO. 538, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at 20th Street and Riley Avenue (District 15). PROPOSAL NO. 539, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Bosart Avenue and St. Clair Street (District 15). PROPOSAL NO. 540, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Irvington Avenue and 18th Street (District 15). PROPOSAL NO. 541, 1995. The proposal, sponsored by Councillor Rhodes, authorizes a multi-way stop at Carrollton Avenue and 62nd Street (District 7). PROPOSAL NO. 542, 1995. The proposal, sponsored by Councillor Rhodes, authorizes a multi-way stop at Burlington Avenue and Maple Drive (District 7). PROPOSAL NO. 543, 1995. The proposal, sponsored by Councillor Rhodes, authorizes a multi-way stop at 58th Street and Crestview Avenue (District 7). PROPOSAL NO. 544, 1995. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at Villa Avenue and Woodlawn Avenue (District 21). PROPOSAL NO. 545, 1995. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at Senate Avenue and Wilkins Street (District 16). PROPOSAL NO. 546, 1995. The proposal, sponsored by Councillor Gilmer, authorizes a multi-way stop at Diana Drive and Echo Lane (District 1). PROPOSAL NO. 547, 1995. The proposal, sponsored by Councillor Gilmer, authorizes intersection controls for Legendary Hills subdivision (District 1). PROPOSAL NO. 548, 1995. The proposal, sponsored by Councillor Gilmer, authorizes intersection controls for Hunters Green subdivision (District 1). PROPOSAL NO. 549, 1995. The proposal, sponsored by Councillor Giffin, authorizes intersection controls for the Pheasant Run subdivision (District 19). PROPOSAL NO. 550, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a one-way

southbound on Chester Avenue from New York Street to Washington Street (District 15). PROPOSAL NO. 551, 1995. The proposal, sponsored by Councillor Borst, authorizes weight limit restrictions for Lake Road from Wicker Road to a point 4,335 feet south of Southport Road (District 25). PROPOSAL NO. 592, 1995. The proposal, sponsored by Councillor Tilford, authorizes stop signs for Maple Creek Country Club Estates subdivision (District 12). PROPOSAL NO. 593, 1995. The proposal, sponsored by Councillor Williams, authorizes multi-way stops for the subdivision of Fall Creek Proper, Citizens Place (District 22). PROPOSAL NO. 594, 1995. The proposal, sponsored by Councillor Hinkle, authorizes stop signs for Country Pointe subdivision (District 18). PROPOSAL NO. 596, 1995. The proposal, sponsored by Councillor Coughenour, authorizes stop signs for Gray Road and Stone Mill Drive, and for Stone Mill Drive and Linwood Avenue located in the Stone Mill and Gray Hollow subdivisions (District 24). PROPOSAL NO. 597, 1995. The proposal, sponsored by Councillor O'Dell, authorizes a multi-way stop at Butler Avenue and Julian Avenue (District 13). PROPOSAL NO. 598, 1995. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at 18th Street and Alton Avenue (District 16). PROPOSAL NO. 599, 1995. The proposal, sponsored by Councillor Rhodes, authorizes a multi-way stop at 58th Street and Guilford Avenue (District 7). PROPOSAL NO. 639, 1995. The proposal, sponsored by Councillor Jones, authorizes a stop sign at 29th Street and Wheeler Street (District 10). PROPOSAL NO. 640, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at 9th Street and Dequincy Street (District 15). PROPOSAL NO. 641, 1995. The proposal, sponsored by Councillor Golc, authorizes a multi-way stop at 12th Street and Rochester Avenue (District 17). PROPOSAL NO. 642, 1995. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at 12th Street and Sharon Avenue (District 16). PROPOSAL NO. 643, 1995. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at Bradbury Avenue and Walker Avenue (District 21). PROPOSAL NO. 644, 1995. The proposal, sponsored by Councillor Giffin, authorizes a multi-way stop at Porter Street and Conaroe Street (District 19). PROPOSAL NO. 645, 1995. The proposal, sponsored by Councillor Schneider, authorizes a multi-way stop at Naab Road and Dugan Drive (District 3). PROPOSAL NO. 646, 1995. The proposal, sponsored by Councillor Gilmer, authorizes multi-way stops at Gateway Drive and Vinewood Avenue, and at Gateway Drive and Westhaven Drive (District 1). PROPOSAL NO. 647, 1995. The proposal, sponsored by Councillor Borst, authorizes a multi-way stop at Stop 11 Road and Railroad Road (District 25). PROPOSAL NO. 648, 1995. The proposal, sponsored by Councillor Golc, authorizes a multi-way stop at Lyons Avenue and Farnsworth Street (District 17). PROPOSAL NO. 649, 1995. The proposal, sponsored by Councillor Jimison, authorizes a multi-way stop at Meadowlark Drive and Sheridan Avenue (District 14). PROPOSAL NO. 650, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Drexel Avenue and Stratford Avenue (District 15). PROPOSAL NO. 652, 1995. The proposal, sponsored by Councillor Brents, authorizes one-way traffic flow southbound on McCrea Street from Georgia Street to Louisiana Street (District 16). By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Tilford, for adoption.

Proposal Nos. 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 592, 593, 594, 596, 597, 598, 599, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, and 652, 1995 were adopted on the following roll call vote; viz:

27 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 NOT VOTING: Gray

1 ABSENT: Black

Proposal No. 536, 1995 was retitled GENERAL ORDINANCE NO. 143, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 143, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30, Pg. 14	Lyons Av & Ray St	Lyons Ave	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30, Pg. 14	Lyons Av & Ray St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 537, 1995 was retitled GENERAL ORDINANCE NO. 144, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 144, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30, Pg. 8	Farnsworth St & Lyons Av	Farnsworth St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30, Pg. 8	Farnsworth St & Lyons Av	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 538, 1995 was retitled GENERAL ORDINANCE NO. 145, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 145, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 31	20th St, Riley Av	Riley Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 31	20th St, Riley Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 539, 1995 was retitled GENERAL ORDINANCE NO. 146, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 146, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 7	Bosart Av & St. Clair St	St. Clair St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 7	Bosart Av & St. Clair St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 540, 1995 was retitled GENERAL ORDINANCE NO. 147, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 147, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 23	Irvington Av & 18th St	Irvington Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 23	Irvington Av & 18th St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 541, 1995 was retitled GENERAL ORDINANCE NO. 148, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 148, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 2	62nd St Carrollton Av	Carrollton Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 2	62nd St Carrollton Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 542, 1995 was retitled GENERAL ORDINANCE NO. 149, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 149, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 4	Burlington Av Maple Dr	Burlington Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 4	Burlington Av Maple Dr	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 543, 1995 was retitled GENERAL ORDINANCE NO. 150, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 150, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 9	58th St Crestview Av	Crestview Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 9	58th St Crestview Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 544, 1995 was retitled GENERAL ORDINANCE NO. 151, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 151, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 38	Villa Av, Woodlawn Av	Woodlawn Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 38	Villa Av, Woodlawn Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 545, 1995 was retitled GENERAL ORDINANCE NO. 152, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 152, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 13	Senate Av Wilkins St	Wilkins St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 546, 1995 was retitled GENERAL ORDINANCE NO. 153, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 153, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 3	Diana Dr Echo Ln	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 547, 1995 was retitled GENERAL ORDINANCE NO. 154, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 154, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 1	Adonis Dr, Latona Dr	Latona Dr	Stop
9, Pg. 1	Apollo Way, Daphne Dr	Daphne Dr	Stop

9, Pg. 1	Apollo Way, Diana Dr	Apollo Way,	Stop
9, Pg. 1	Apollo Way, 71st St	71st St	Stop
9, Pg. 1	Daphne Dr, Echo Ln	Daphne Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 548, 1995 was retitled GENERAL ORDINANCE NO. 155, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 155, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
8, Pg. 2	Hunters Green Ln, Hunters Green Way	Hunters Green Way	Stop
8, Pg. 2	Hunters Green Pl, Hunters Green Way	Hunters Green Way	Stop
8, Pg. 2	Hunters Green Way, Lafayette Rd	Lafayette Rd	Stop
8, Pg. 2	Hunters Green way, Shanghai Rd	Shanghai Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 549, 1995 was retitled GENERAL ORDINANCE NO. 156, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 156, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
44, Pg. 1	Alcott Ln, Raritan Dr	Raritan Dr	Stop
44, Pg. 2	Nodlehs Ct, Raritan Ct	Nodlehs Ct	Stop
44, Pg. 2	Nodlehs Ct, Raritan Dr	Nodlehs Ct	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 550, 1995 was retitled GENERAL ORDINANCE NO. 157, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 157, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-166, One-way streets and alleys designated.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-166, One-way streets and alleys designated, be, and the same is hereby amended by the addition of the following, to wit:

ONE-WAY SOUTHBOUND
Chester Av, from
New York St to Washington St

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 551, 1995 was retitled GENERAL ORDINANCE NO. 158, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 158, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-224, Trucks on certain streets restricted.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-224, Trucks on certain streets restricted, be, and the same is hereby, amended by the deletion of the following, to wit:

11,000 POUNDS
Lake Road from,
Wicker Road to a point 3,350 feet
south of Southport Road

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-224, Trucks on certain streets restricted, be, and the same is hereby, amended by the addition of the following, to wit:

11,000 POUNDS
Lake Road from,
Wicker Road to a point 4,330 feet
south of Southport Road

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 592, 1995 was retitled GENERAL ORDINANCE NO. 159, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 159, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
28, Pg. 2	German Church Rd, Players Dr	German Church Rd	Stop
28, Pg. 4	Players Dr, Pro Am Pl	Players Dr	Stop
28, Pg. 4	Players Dr, Titleist Way	Players Dr	Stop
28, Pg. 5	Titleist Ln, Titleist Way	Titleist Ln	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 593, 1995 was retitled GENERAL ORDINANCE NO. 160, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 160, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 1	Alabama St, Citizens Pl	Alabama St	Stop
18, Pg. 5	Citizens Pl, New Jersey St	New Jersey St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 594, 1995 was retitled GENERAL ORDINANCE NO. 161, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 161, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22, Pg. 3	Brook Pointe Ct, Brook Pointe Dr	Brook Pointe Dr	Stop
22, Pg. 3	Brook Pointe Dr, Country Pointe Dr N	Brook Pointe Dr	Stop
22, Pg. 3	Brook Pointe Dr, Country Pointe Dr S	Brook Pointe Dr	Stop
22, Pg. 3	Brook Pointe Dr, Country Club Rd	Country Club Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 596, 1995 was retitled GENERAL ORDINANCE NO. 162, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 162, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40, Pg. 9	Gray Rd, Stone Mill Dr	Gray Rd	Stop
40, Pg. 11	Stone Mill Dr, Linwood Av	Stone Mill Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 597, 1995 was retitled GENERAL ORDINANCE NO. 163, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 163, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 9	Butler Av, Julian Av	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 598, 1995 was retitled GENERAL ORDINANCE NO. 164, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 164, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 2	18th St, Alton Av	Alton Av	Yield

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 2	18th St, Alton Av	Alton Av	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 599, 1995 was retitled GENERAL ORDINANCE NO. 165, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 165, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 13	58th St, Guilford Av	58th St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 13	58th St, Guilford Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 639, 1995 was retitled GENERAL ORDINANCE NO. 166, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 166, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19, Pg. 25	29th St, Wheeler St	Wheeler St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 640, 1995 was retitled GENERAL ORDINANCE NO. 167, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 167, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 14	9th St, Dequincy St	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 641, 1995 was retitled GENERAL ORDINANCE NO. 168, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 168, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 26	12th St, Rochester Av	Rochester Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 26	12th St, Rochester Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 642, 1995 was retitled GENERAL ORDINANCE NO. 169, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 169, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 27	12th St, Sharon Av	Sharon Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 27	12th St, Sharon Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 643, 1995 was retitled GENERAL ORDINANCE NO. 170, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 170, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 7	Bradbury Av, Walker Av	Bradbury Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 7	Bradbury Av, Walker Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 644, 1995 was retitled GENERAL ORDINANCE NO. 171, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 171, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
29, Pg. 2	Conaroe St, Porter St	Porter St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
29, Pg. 2	Conaroe St, Porter St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 645, 1995 was retitled GENERAL ORDINANCE NO. 172, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 172, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
3, Pg. 8	Dugan Dr, Naab Rd	Dugan Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
3, Pg. 8	Dugan Dr, Naab Rd	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 646, 1995 was retitled GENERAL ORDINANCE NO. 173, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 173, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

October 16, 1995

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16, Pg. 11	Gateway Dr, Vinewood Av	Gateway Dr	Stop
16, Pg. 11	Gateway Dr, Westhaven Dr	Gateway Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16, Pg. 11	Gateway Dr, Vinewood Av	None	All Way Stop
16, Pg. 11	Gateway Dr, Westhaven Dr	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 647, 1995 was retitled GENERAL ORDINANCE NO. 174, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 174, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45, Pg. 8	Railroad Rd, Stop 11 Rd	Stop 11 Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45, Pg. 8	Railroad Rd, Stop 11 Rd	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 648, 1995 was retitled GENERAL ORDINANCE NO. 175, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 175, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30, Pg. 8	Lyons Av, Farnsworth St	Farnsworth St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30, Pg. 14	Lyons Av, Farnsworth St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 649, 1995 was retitled GENERAL ORDINANCE NO. 176, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 176, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19, Pg. 20	Meadowlark Dr, Sheridan Av	Meadowlark Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19, Pg. 20	Meadowlark Dr, Sheridan Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 650, 1995 was retitled GENERAL ORDINANCE NO. 177, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 177, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 16	Drexel Av Stratford Av	Stratford Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 16	Drexel Av Stratford Av	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 652, 1995 was retitled GENERAL ORDINANCE NO. 178, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 178, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-166, One way streets and alleys designated.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-166, One way streets and alleys designated, be, and the same is hereby, amended by the addition of the following, to wit:

ONE WAY SOUTHBOUND
McCrea Street, from
Georgia Street to Louisiana Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 552, 1995. The proposal, sponsored by Councillor Golc, authorizes speed restrictions on Rockville Road from Interstate 465 to Holt Road (District 17). Councillor Curry stated that 500 yards east of that intersection of Holt Road and Lynhurst is a school. He feels

that the 35 mph speed limit is too high. Councillor Golc stated that the neighborhood association recommends this speed limit. Councillor Curry said that then he will support that recommendation also. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Golc, for adoption. Proposal No. 552, 1995 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 ABSENT: Black

Proposal No. 552, 1995 was retitled GENERAL ORDINANCE NO. 179, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 179, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limit.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the deletion of the following, to wit:

40 MPH

Rockville Road, from Interstate 465 to Holt Road

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-136, alteration of prima facie speed limits, be, and the same is hereby, amended by the addition of the following, to wit:

40 MPH

Rockville Road, from Interstate 465 to Lynhurst Drive

35 MPH

Rockville Road, from Lynhurst Drive to Holt Road

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

NEW BUSINESS

Councillor McClamroch said that at the September 25, 1995 Council meeting, a motion, sponsored by Councillor Boyd, was passed concerning the City's public transportation. This motion provided for the formation of a broad-based task force; the \$6 million in public mass transportation dollars be held in the City Controller's budget; and any actions concerning the restructuring of public transportation be deferred until the task force can make recommendations. Councillor McClamroch offered the following resolution in response to Councillor Boyd's motion and moved for its adoption:

A COUNCIL RESOLUTION to establish a special METRO Bus Task Force.

WHEREAS, the Council at its meeting on September 25, 1995, resolved to establish a special task force to study public transportation in Indianapolis; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council hereby establishes a special METRO Bus Task Force to study public transportation in Indianapolis, with a special focus upon METRO buses of the Indianapolis Public Transportation Corporation (IPTC), and including other supplementary and alternative options.

SECTION 2. The Council President shall invite the following persons to serve at his discretion on the METRO Bus Task Force: Councillors Beulah Coughenour, Ron Franklin (who shall serve as Task Force Chairman), Gordon Gilmer, Monroe Gray, Mary Moriarty Adams, Cory O'Dell, and William Schneider; Deputy Mayor for Neighborhoods Irma Neal; Center Township Trustee Julia Carson; State Representative William Crawford; Reverend Wayne Harris of Concerned Clergy; Stacy Porter of the Indianapolis Chamber of Commerce; and Matt Ravin of the Mayor's Advisory Council. The Council President may expeditiously fill any vacancies during the life of the Task Force.

SECTION 3. All Task Force meetings shall be open to the public, and the Task Force shall make recommendations to the Council. Interested parties such as the driver's union, METRO, organizations representing riders, environmental organizations and others will have ample scheduled time to present evidence, opinions and testimony to the Task Force.

SECTION 4. The recommendations shall be delivered to the Council on or before November 14, 1995.

SECTION 5. The purpose of the Task Force is to provide open hearings and testimony on issues related to the proposed appropriation of \$6 million by the Council for public transportation, and to review and make recommendations concerning transportation proposals brought to the Task Force by the city.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

This motion was seconded by Councillor West.

Councillor Boyd stated that he has concerns with the way the proposed task force is constituted in Councillor McClamroch's resolution. He said that not all of the people listed as members of the task force have been contacted, and they have not all consented to serve. He has some concern also with the last sentence in Section 2: *The Council President may expeditiously fill any vacancies during the life of the Task Force.* Mr. Boyd said that this means that if any of the persons listed in this resolution decided not to serve on the task force, then the President would have absolute and full discretion to replace them. Councillor Boyd said he will not support this resolution.

Councillor Coughenour stated that she does not want to delay the creation of this task force because the Council needs to have some recommendation by the first of the year. She said that she has multi service centers in her district that depend on public transportation. Councillor Smith voiced his support of this resolution. He said that he is more concerned about the ridership than the unions.

Councillor Williams stated that the Council has no right to appoint elected officials to positions without their consent. The President said that the members listed for this task force have either requested to be on this task force or have been contacted by him or the minority leader.

Councillor Jimison stated that it seems to her that there are some interests that are not represented on this task force such as environmentalists and bus drivers. She moved to table the resolution. Councillor Williams seconded the motion to table. Councillor Jimison's motion to table failed by the following roll call vote; viz:

10 YEAS: Boyd, Brents, Golc, Gray, Jimison, Jones, Moriarty Adams, Mullin, Short, Williams
18 NAYS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle,
McClamroch, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West
1 ABSENT: Black

Councillor Rhodes stated that the union should not be represented on the task force because that would be a direct conflict of interest; however, the union will be able to testify before the task force. He does not believe the environmentalists have a valid concern. Councillor Borst said he voted against tabling because "time is of the essence."

Councillor Boyd said that if this resolution is passed by the Council it will be a "mistake of the first order." He said that there is a belief that some people in this City have broken faith with people who sat in meetings to work out compromises with the whole concept.

Councillor Dowden moved the question. Councillor Gilmer seconded the motion.

Councillor McClamroch said that the very same people who asked that the task force be created now are opposed to it because they do not like the composition of the task force. All the groups who have a reasonable connection to this issue are represented. The resolution provides every opportunity for open meetings and testimony from all interested groups. Councillor McClamroch said he would predict that the same organizations that are objecting to this resolution will throw up procedural roadblocks throughout this process. He urged the Councillors to vote in favor of this resolution.

The President said he agrees with both the majority and minority leaders. There have been many discussions since he was asked by the Council to appoint members to this task force. All interested groups will have the opportunity to appear before the task force. No one is being excluded.

Councillor Jimison asked if there is anything that would prohibit the President from inviting additional members to the task force. She said that she would like an environmentalist and a bus driver added to the task force. The President said if there are vacancies, he would consult interested Councillors on alternatives.

Councillor McClamroch's resolution was adopted by the following roll call vote; viz:

18 YEAS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle,
McClamroch, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West
10 NAYS: Boyd, Brents, Golc, Gray, Jimison, Jones, Moriarty Adams, Mullin, Short, Williams
1 ABSENT: Black

Councillor McClamroch's motion was retitled COUNCIL RESOLUTION NO. 66, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 66, 1995

A COUNCIL RESOLUTION to establish a special METRO Bus Task Force.

WHEREAS, the Council at its meeting on September 25, 1995, resolved to establish a special task force to study public transportation in Indianapolis; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council hereby establishes a special METRO Bus Task Force to study public transportation in Indianapolis, with a special focus upon METRO buses of the Indianapolis Public Transportation Corporation (IPTC), and including other supplementary and alternative options.

SECTION 2. The Council President shall invite the following persons to serve at his discretion on the METRO Bus Task Force: Councillors Beulah Coughenour, Ron Franklin (who shall serve as Task Force Chairman), Gordon Gilmer, Monroe Gray, Mary Moriarty Adams, Cory O'Dell, and William Schneider; Deputy Mayor for Neighborhoods Irma Neal; Center Township Trustee Julia Carson; State Representative William Crawford; Reverend Wayne Harris of Concerned Clergy; Stacy Porter of the Indianapolis Chamber of Commerce; and Matt Ravin of the Mayor's Advisory Council. The Council President may expeditiously fill any vacancies during the life of the Task Force.

SECTION 3. All Task Force meetings shall be open to the public, and the Task Force shall make recommendations to the Council. Interested parties such as the driver's union, METRO, organizations representing riders, environmental organizations and others will have ample scheduled time to present evidence, opinions and testimony to the Task Force.

SECTION 4. The recommendations shall be delivered to the Council on or before November 14, 1995.

SECTION 5. The purpose of the Task Force is to provide open hearings and testimony on issues related to the proposed appropriation of \$6 million by the Council for public transportation, and to review and make recommendations concerning transportation proposals brought to the Task Force by the city.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Jimison stated that she wanted to salute those men, including Councillor Black, who journeyed to Washington, D.C. to participate in the Million Man March. She also wanted to give kudos to the Indianapolis Colts.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by Councillor Shambaugh in memory of Sandra J. Bash. Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Sandra J. Bash. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:45 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 16th day of October, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

Beurt SerVaas

President

ATTEST:

Sullen Hart

Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, OCTOBER 30, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:14 p.m. on Monday, October 30, 1995, with Councillor SerVaas presiding.

Councillor West led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams
0 ABSENT:

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Black introduced Joe Fager, friend and former co-worker. Councillor Golc asked everyone to remember firefighter Brendon Cannady in their prayers as he recuperates at home.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE
COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND
MARION COUNTY, INDIANA

Journal of the City-County Council

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, October 30, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

October 17, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Thursday, October 19, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 616, 620, 621, 625, 626, 630, 672, 676, 677, 678, 679, 680, and 681, 1995, to be held on October 30, 1995, at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

October 27, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Tuesday, October 31, 1995, a copy of LEGAL NOTICE on Proposal No. 615, 1995.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

October 19, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

FISCAL ORDINANCE NO. 90, 1995 an appropriation of \$150,000 for the Department of Parks and Recreation to purchase additional land for the expansion of Juan Solomon Park financed by revenues from the Park Land Fund

FISCAL ORDINANCE NO. 91, 1995 an appropriation of \$783,500 for the Department of Parks and Recreation to cover repair and renovation expenses at numerous park facilities financed by revenues from the Consolidated County Cumulative Capital Development Fund

FISCAL ORDINANCE NO. 92, 1995 distributes \$489,942 of Uniform Traffic Ticket revenue to the Prosecutor, Sheriff, Presiding Judge of the Municipal Courts, and the Auditor

FISCAL ORDINANCE NO. 93, 1995 an appropriation of \$3,401,732 for the Marion County Office of Family and Children to pay the expenses of the wards in institutions financed by revenues from the Family and Children Fund

FISCAL ORDINANCE NO. 94, 1995 an appropriation of \$39,725 for the Marion County Public Defender Agency to continue a project that assists with expediting cases and alleviating jail overcrowding financed by revenues from a federal grant

FISCAL ORDINANCE NO. 95, 1995 an appropriation of \$328,000 for the Prosecuting Attorney, County Sheriff, and the County Auditor to continue the comprehensive traffic safety program financed by a federal grant

FISCAL ORDINANCE NO. 96, 1995 an appropriation of \$23,171 for the County Sheriff and County Auditor to continue the Child Abuse Intervention Program financed by a federal grant

FISCAL ORDINANCE NO. 97, 1995 an appropriation of \$47,240 for the County Sheriff and County Auditor to continue the Victim Assistance Program financed by a state grant

FISCAL ORDINANCE NO. 101, 1995 an appropriation of \$40,000 for the Forensic Services Agency to cover additional supplies and training expenditures for the Abu Dhabi police officers financed by a transfer within the agency's County General Fund

FISCAL ORDINANCE NO. 102, 1995 an appropriation of \$80,000 for the Department of Public Works, Administration Division, to cover shortfalls in Personal Services financed by a transfer within the division's Consolidated County Fund

FISCAL ORDINANCE NO. 103, 1995 an appropriation of \$1,256,757 for the Department of Public Works, Contract Compliance Division, to fund additional expenses relating to the operation of the Advanced Wastewater Treatment facilities financed by transfers from the Sanitation General Fund, Flood General Fund, and the Transportation General Fund

FISCAL ORDINANCE NO. 104, 1995 an appropriation reducing by \$3,458,000 the budget of the Department of Public Works, Solid Waste Management Division, from the Solid Waste Disposal Fund

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE 4 an appropriation of \$275,000 for the Department of Public Works, Solid Waste Management Division, to fund overtime for the fall leaf program financed by a transfer within the division's Solid Waste Collection Fund

GENERAL ORDINANCE NO. 134, 1995 moves responsibility for management of abandoned vehicles from the Department of Public Works, Solid Waste Management Division, to the Contract Compliance Division

GENERAL ORDINANCE NO. 135, 1995 licensure of public pay telephones

GENERAL ORDINANCE NO. 136, 1995 establishes a county general fund emergency reserve account

GENERAL ORDINANCE NO. 137, 1995 authorizes a traffic signal at Shelbyville Road and Emerson Avenue (Districts 23, 24)

GENERAL ORDINANCE NO. 138, 1995 authorizes a traffic signal for Lilly Technology Center West Driveway located at 1530 South at Harding Street (District 17)

GENERAL ORDINANCE NO. 139, 1995 authorizes a traffic signal at St. Clair Street and Dr. Martin Luther King Jr. Street

GENERAL ORDINANCE NO. 140, 1995 authorizes a traffic signal for Kevin Way and 38th Street (Districts 8, 9)

GENERAL ORDINANCE NO. 141, 1995 authorizes a traffic signal at Morris Street and Sigsbee Street (Districts 18, 19)

GENERAL ORDINANCE NO. 142, 1995 authorizes parking for marked police vehicles only for the southside of Market Street from Alabama Street to Delaware Street (District 16)

GENERAL ORDINANCE NO. 143, 1995 authorizes a multi-way stop at Lyons Avenue and Ray Street (District 17)

GENERAL ORDINANCE NO. 144, 1995 authorizes a multi-way stop at Farnsworth Street and Lyons Avenue (District 17)

GENERAL ORDINANCE NO. 145, 1995 authorizes a multi-way stop at 20th Street and Riley Avenue (District 15)

GENERAL ORDINANCE NO. 146, 1995 authorizes a multi-way stop at Bosart Avenue and St. Clair Street (District 15)

GENERAL ORDINANCE NO. 147, 1995 authorizes a multi-way stop at Irvington Avenue and 18th Street (District 15)

GENERAL ORDINANCE NO. 148, 1995 authorizes a multi-way stop at Carrollton Avenue and 62nd Street (District 7)

GENERAL ORDINANCE NO. 149, 1995 authorizes a multi-way stop at Burlington Avenue and Maple Drive (District 7)

GENERAL ORDINANCE NO. 150, 1995 authorizes a multi-way stop at 58th Street and Crestview Avenue (District 7)

GENERAL ORDINANCE NO. 151, 1995 authorizes a multi-way stop at Villa Avenue and Woodlawn Avenue (District 21)

GENERAL ORDINANCE NO. 152, 1995 authorizes a multi-way stop at Senate Avenue and Wilkins Street (District 16)

GENERAL ORDINANCE NO. 153, 1995 authorizes a multi-way stop at Diana Drive and Echo Lane (District 1)

GENERAL ORDINANCE NO. 154, 1995 authorizes intersection controls for Legendary Hills subdivision (District 1)

GENERAL ORDINANCE NO. 155, 1995 authorizes intersection controls for Hunters Green subdivision

GENERAL ORDINANCE NO. 156, 1995 authorizes intersection controls for the Pheasant Run subdivision (District 19)

GENERAL ORDINANCE NO. 157, 1995 authorizes a one-way southbound on Chester Avenue from New York Street to Washington Street (District 15)

GENERAL ORDINANCE NO. 158, 1995 authorizes weight limit restrictions for Lake Road from Wicker Road to a point 4,335 feet south of Southport Road (District 25)

GENERAL ORDINANCE NO. 159, 1995 authorizes stop signs for Maple Creek Country Club Estates subdivision (District 12)

GENERAL ORDINANCE NO. 160, 1995 authorizes multi-way stops for the subdivision of Fall Creek Proper, Citizens Place (District 22)

GENERAL ORDINANCE NO. 161, 1995 authorizes stop signs for Country Pointe subdivision (District 18)

GENERAL ORDINANCE NO. 162, 1995 authorizes stop signs for Gray Road and Stone Mill Drive, and for Stone Mill Drive and Linwood Avenue located in the Stone Mill and Gray Hollow subdivisions (District 24)

GENERAL ORDINANCE NO. 163, 1995 authorizes a multi-way stop at Butler Avenue and Julian Avenue (District 13)

GENERAL ORDINANCE NO. 164, 1995 authorizes a multi-way stop at 18th Street and Alton Avenue (District 16)

GENERAL ORDINANCE NO. 165, 1995 authorizes a multi-way stop at 58th Street and Guilford Avenue (District 7)

GENERAL ORDINANCE NO. 166, 1995 authorizes a stop sign at 29th Street and Wheeler Street (District 10)

GENERAL ORDINANCE NO. 167, 1995 authorizes a multi-way stop at 9th Street and Dequincy Street (District 15)

GENERAL ORDINANCE NO. 168, 1995 authorizes a multi-way stop at 12th Street and Rochester Avenue (District 17)

GENERAL ORDINANCE NO. 169, 1995 authorizes a multi-way stop at 12th Street and Sharon Avenue (District 16)

GENERAL ORDINANCE NO. 170, 1995 authorizes a multi-way stop at Bradbury Avenue and Walker Avenue (District 21)

GENERAL ORDINANCE NO. 171, 1995 authorizes a multi-way stop at Porter Street and Conaroe Street (District 19)

GENERAL ORDINANCE NO. 172, 1995 authorizes a multi-way stop at Naab Road and Dugan Drive (District 3)

GENERAL ORDINANCE NO. 173, 1995 authorizes multi-way stops at Gateway Drive and Vinewood Avenue, and at Gateway Drive and Westhaven Drive (District 1)

GENERAL ORDINANCE NO. 174, 1995 authorizes a multi-way stop at Stop 11 Road and Railroad Road (District 25)

GENERAL ORDINANCE NO. 175, 1995 authorizes a multi-way stop at Lyons Avenue and Farnsworth Street (District 17)

GENERAL ORDINANCE NO. 176, 1995 authorizes a multi-way stop at Meadowlark Drive and Sheridan Avenue (District 14)

GENERAL ORDINANCE NO. 177, 1995 authorizes a multi-way stop at Drexel Avenue and Stratford Avenue (District 15)

GENERAL ORDINANCE NO. 178, 1995 authorizes one-way traffic flow southbound on McCrea Street from Georgia Street to Louisiana Street (District 16)

GENERAL ORDINANCE NO. 179, 1995 authorizes speed restrictions on Rockville Road from Interstate 465 to Holt Road (District 17)

SPECIAL RESOLUTION NO. 84, 1995 recognizes the 503rd anniversary of Christopher Columbus' voyage to the New World and the Caito family of Indianapolis

SPECIAL RESOLUTION NO. 85, 1995 remembers the life and contributions of Thomas C. Hasbrook

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of October 16, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 749, 1995. The proposal, sponsored by Councillor SerVaas, recognizes the Korean and Vietnam War Veterans Memorials in Indianapolis. Councillor SerVaas read the proposal and moved for its adoption. Proposal No. 749, 1995 was adopted by unanimous voice vote.

Proposal No. 749, 1995 was retitled SPECIAL RESOLUTION NO. 86, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 86, 1995

A SPECIAL RESOLUTION recognizing the Korean and Vietnam War Veterans Memorials in Indianapolis.

WHEREAS, Hoosiers are exceedingly patriotic by nature, and when the nation calls, our young people don uniforms and the home front quickly busies itself growing and processing food and manufacturing the supplies that are needed by America's armed forces; and

WHEREAS, Indianapolis is the home of memorial buildings, plaques and sites that remember the Civil War, Indian Wars, the Spanish-American War, World War I, World War II and Desert Storm; and

WHEREAS, in 1992, Indianapolis dedicated a portion of Vermont Street as the "Korean War Memorial Way," and the next year a section of 10th Street was made the "Vietnam Veterans Memorial Way;" now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council commends the State of Indiana and the many volunteers who have worked for the construction of memorials that honor Indiana veterans of the Korean and Vietnam Wars.

SECTION 2. May these monuments serve as a fitting testament to those brave men and women who served during those two wars.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 617, 618, and 619, 1995. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal Nos. 617, 618, and 619, 1995 on October 26, 1995. PROPOSAL NO. 617, 1995. The proposal, sponsored by Councillor McClamroch, appoints Walter Blackburn to the Indianapolis Greenways Development Committee. PROPOSAL NO. 618, 1995. The proposal, sponsored by Councillor McClamroch, appoints Katherine A. Price to the Indianapolis Greenways Development Committee. PROPOSAL NO. 619, 1995. The proposal, sponsored by Councillor McClamroch, appoints Robert Weddle to the Indianapolis Greenways Development Committee. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Giffin moved, seconded by Councillor McClamroch, for adoption. Proposal Nos. 617, 618, and 619, 1995 were adopted by a unanimous voice vote.

Proposal No. 617, 1995 was retitled COUNCIL RESOLUTION NO. 67, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 67, 1995

A COUNCIL RESOLUTION appointing Walter Blackburn to the Indianapolis Greenways Development Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Greenways Development Committee, the Council appoints:

Walter Blackburn

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 618, 1995 was retitled COUNCIL RESOLUTION NO. 68, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 68, 1995

A COUNCIL RESOLUTION appointing Katherine A. Price to the Indianapolis Greenways Development Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Greenways Development Committee, the Council appoints:

Katherine A. Price

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 619, 1995 was retitled COUNCIL RESOLUTION NO. 69, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 69, 1995

A COUNCIL RESOLUTION appointing Robert Weddle to the Indianapolis Greenways Development Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Greenways Development Committee, the Council appoints:

Robert Weddle

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 559, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 559, 1995 on October 25, 1995. The proposal confirms the Marion County Public Defender Board's nomination of David Cook as Marion County Chief Public Defender. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Councillor Dowden introduced David Cook. Proposal No. 559, 1995 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 NOT VOTING: Golc

Proposal No. 559, 1995 was retitled COUNCIL RESOLUTION NO. 70, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 70, 1995

A COUNCIL RESOLUTION confirming the Marion County Public Defender Board's nomination of David Cook as Marion County Chief Public Defender.

WHEREAS, pursuant to Sec. 246-4 of the "Revised Code of the Consolidated City and County", a Marion County Public Defender Board nomination of the Marion County Chief Public Defender is subject to the approval of the City-County Council; and

WHEREAS, the Marion County Public Defender Board has submitted to this Council the name of David Cook to serve as Marion County Chief Public Defender; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. David Cook is approved and confirmed by the City-County Council to serve as Marion County Chief Public Defender.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 717, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$3,000 for the County Surveyor to pay overtime due to additional work on behalf of IMAGIS financed by transfers of other appropriations within the agency's County General Fund"; and the President referred it to the Administration and Finance Committee.

Councillor Rhodes moved to suspend the Council rules and hear Proposal No. 717, 1995 at this time. This motion passed by unanimous voice vote. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 717, 1995 on October 23, 1995. He stated that aerial photographs must be taken of the white chevrons while the leaves are off the trees and before the snow comes. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 717, 1995 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 NOT VOTING: Golc

Proposal No. 717, 1995 was retitled FISCAL ORDINANCE NO. 105, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 105, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Three Thousand Dollars (\$3,000) in the County General Fund for purposes of the County Surveyor and County Auditor and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (j) and (b) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Surveyor and County Auditor to transfer funds for over-time personal services for additional work on behalf of IMAGIS.

SECTION 2. The sum of Three Thousand Dollars (\$3,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY SURVEYOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	2,250
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	750
TOTAL INCREASE	3,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>COUNTY SURVEYOR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	3,000
TOTAL DECREASE	3,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 718, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Donald R. Hudson to the Indianapolis-Marion County Building Authority Board of Trustees"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 719, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$100,000 for the Department of Administration, Real Estate Division, for city-owned property management and maintenance financed by a transfer within the division's Consolidated County Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 720, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$34,302 for the Office of Youth and Family Services to provide neighborhood-based primary health care services financed by a transfer within the agency's Consolidated County Fund"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 721, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$138,345 for the Department of Metropolitan Development, Divisions of Planning and Neighborhood and Development Services, to purchase computers, financed by transfers within the divisions' Metropolitan Development General Fund"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 722, 1995. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which reduces \$625,000 from the Department of Parks and Recreation's Park General Fund as part of the financing for the 1996 annual budget"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 723, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$128,134 for the Prosecuting Attorney to continue the Victim Advocate Project financed by state and federal grants"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 724, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$338,114 for the County Auditor, Prosecuting Attorney, County Sheriff, and the Presiding Judge of the Municipal Courts which is the third quarter distribution of the Deferral Program Fee Fund financed by revenues from that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 725, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$38,782 for Community Corrections to fund a Jail Work Program financed by County General Fund Jail Reserve Account"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 726, 1995. Introduced by Councillors McClamroch and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints David McClure to the Animal Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 727, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Revised Code pertaining to the Information Services Board, Agency"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 728, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which permits additional materials for right-of-way restoration"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 729, 1995. Introduced by Councillors Borst and Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which removes traffic signal at Morris Street and Union Street (Districts 16, 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 730, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which removes traffic signal at Palmer Street and Union Street (District 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 731, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes multi-way stops for the intersections in the Forest Creek subdivision, Sections 1 and 2 (District 13)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 732, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at 68th Street

and Riley Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 733, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Brookville Road and Worcester Avenue (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 734, 1995. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Caven Street and Kennington Street (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 735, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Drexel Avenue and 13th Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 736, 1995. Introduced by Councillors Brent, Shambaugh, Gray, Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Lafayette Road on both sides from 16th Street to I-65 (Districts 16, 8, 9, 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 737, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which removes parking restrictions on Alabama Street from a point 70 feet south of St. Joseph Street to a point 50 feet north of St. Joseph Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 715, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 715, 1995 on October 19, 1995. The proposal amends S.R. No. 34, 1995, by increasing the amount of the inducement resolution from \$15,000,000 to \$17,000,000 and by extending the expiration date through May 31, 1996 for Willowbrook Park, L.P. (4803 Round Lake Road - District 7). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Rhodes, for adoption.

Councillor Moriarty Adams stated that she will abstain from voting on Proposal No. 715, 1995, due to a conflict of interest.

Proposal No. 715, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, Williams

0 NAYS:

3 NOT VOTING: Franklin, Moriarty Adams, West

Proposal No. 715, 1995 was retitled SPECIAL RESOLUTION NO. 87, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 87, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 34, 1995, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 34, 1995 (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Willowbrook Park, L.P. (the "Company") which Inducement Resolution set an expiration date of October 31, 1995 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, the Inducement Resolution set the maximum aggregate principal amount of economic development revenue bonds to be issued for the Project (as defined in the Inducement Resolution) at \$15,000,000 and the Company has requested that such amount be increased to \$17,000,000 and has shown good cause for such increase; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of October 31, 1995, contained therein and replacing said date with the date of May 31, 1996 and by deleting the words and figures "Fifteen Million Dollars (\$15,000,000)" contained in Section 2 of the Inducement Resolution and replacing said words and figures with the sum of Seventeen Million Dollars (\$17,000,000).

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 716, 1995 Councillor Borst reported that the Economic Development Committee heard Proposal No. 716, 1995 on October 19, 1995. The proposal amends S.O. No. 43, 1985 by authorizing the extension of the maturity date for the previously issued City of Indianapolis Economic Development Revenue Bond (Web Reality of Indianapolis, Ltd. Project) (6803 North Coffman Road - District 1). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Gilmer, for adoption. Proposal No. 716, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:

1 NOT VOTING: Franklin

Proposal No. 716, 1995 was retitled SPECIAL ORDINANCE NO. 17, 1995, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 17, 1995

A SPECIAL ORDINANCE approving the execution of document amendments relating to the previously-issued City of Indianapolis, Indiana Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indiana Code, Title 36, Article 7, Chapters 11.9 and 12 (the "Act"), has been enacted by the General Assembly of Indiana; and

WHEREAS, the Act declares that the financing of economic development facilities and refunding of such financings constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may pursuant to the Act issue revenue bonds and lend the proceeds thereof to a corporation for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") has previously issued its Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) (the "Original Bond") in the original principal amount of One Million Three Hundred Thirty Five Thousand Dollars (\$1,335,000), dated as of September 1, 1985 in order to obtain funds to loan to Web Realty of Indianapolis, Ltd., an Indiana limited partnership, (the "Borrower"), pursuant to the Loan Agreement, Mortgage and Security Agreement, dated as of September 1, 1985 and recorded on September 25, 1985, as Instrument 85-83069 (the "Original Loan Agreement" or the "Original Mortgage") between the Issuer and the Borrower; and

WHEREAS, the Borrower and State Street Bank and Trust Company (the "Bondholder") have each requested that the Issuer agree to amend and restate the Original Loan Agreement as of the Amendment Date defined in the Amended and Restated Loan Agreement (as hereinafter defined); and

WHEREAS, the Amended and Restated Loan Agreement (as hereinafter defined) provides for the repayment by the Borrower of such loan and further provides (i) for the Borrower's repayment obligation to be evidenced by the Borrower's Amended and Restated Promissory Note (the "1995 Note") and (ii) for such loan and the 1995 Note to be secured by the lien and security interest therein provided for; and

WHEREAS, the Issuer will endorse the 1995 Note without recourse and assign certain of its rights under the Loan Agreement as security for the Amended and Restated City of Indianapolis Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) (the "1995 Bond"), which is payable solely and only out of the payments to be made by the Borrower with respect to the 1995 Note, except to the extent paid out of proceeds of condemnation and insurance;

WHEREAS, the Indianapolis Economic Development Commission on October 18, 1995 adopted a Resolution, which Resolution has been previously transmitted hereto finding that the execution of the (1) Amended and Restated Loan Agreement, Mortgage, Security Agreement dated as of September 1, 1995 between the Issuer and the Borrower (the "Amended and Restated Loan Agreement"); (2) 1995 Note; and (3) 1995 Bond in the forms presented at that meeting complies with the purposes and provisions of the Act and that such execution will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the form of the Amended and Restated Loan Agreement, 1995 Note and 1995 Bond by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; NOW, THEREFORE:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Proposal No. 715, 1995 was retitled SPECIAL RESOLUTION NO. 87, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 87, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 34, 1995, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 34, 1995 (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Willowbrook Park, L.P. (the "Company") which Inducement Resolution set an expiration date of October 31, 1995 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, the Inducement Resolution set the maximum aggregate principal amount of economic development revenue bonds to be issued for the Project (as defined in the Inducement Resolution) at \$15,000,000 and the Company has requested that such amount be increased to \$17,000,000 and has shown good cause for such increase; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of October 31, 1995, contained therein and replacing said date with the date of May 31, 1996 and by deleting the words and figures "Fifteen Million Dollars (\$15,000,000)" contained in Section 2 of the Inducement Resolution and replacing said words and figures with the sum of Seventeen Million Dollars (\$17,000,000).

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 716, 1995 Councillor Borst reported that the Economic Development Committee heard Proposal No. 716, 1995 on October 19, 1995. The proposal amends S.O. No. 43, 1985 by authorizing the extension of the maturity date for the previously issued City of Indianapolis Economic Development Revenue Bond (Web Reality of Indianapolis, Ltd. Project) (6803 North Coffman Road - District 1). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Gilmer, for adoption. Proposal No. 716, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:

1 NOT VOTING: Franklin

Proposal No. 716, 1995 was retitled SPECIAL ORDINANCE NO. 17, 1995, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 17, 1995

A SPECIAL ORDINANCE approving the execution of document amendments relating to the previously-issued City of Indianapolis, Indiana Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indiana Code, Title 36, Article 7, Chapters 11.9 and 12 (the "Act"), has been enacted by the General Assembly of Indiana; and

WHEREAS, the Act declares that the financing of economic development facilities and refunding of such financings constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may pursuant to the Act issue revenue bonds and lend the proceeds thereof to a corporation for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") has previously issued its Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) (the "Original Bond") in the original principal amount of One Million Three Hundred Thirty Five Thousand Dollars (\$1,335,000), dated as of September 1, 1985 in order to obtain funds to loan to Web Realty of Indianapolis, Ltd., an Indiana limited partnership, (the "Borrower"), pursuant to the Loan Agreement, Mortgage and Security Agreement, dated as of September 1, 1985 and recorded on September 25, 1985, as Instrument 85-83069 (the "Original Loan Agreement" or the "Original Mortgage") between the Issuer and the Borrower; and

WHEREAS, the Borrower and State Street Bank and Trust Company (the "Bondholder") have each requested that the Issuer agree to amend and restate the Original Loan Agreement as of the Amendment Date defined in the Amended and Restated Loan Agreement (as hereinafter defined); and

WHEREAS, the Amended and Restated Loan Agreement (as hereinafter defined) provides for the repayment by the Borrower of such loan and further provides (i) for the Borrower's repayment obligation to be evidenced by the Borrower's Amended and Restated Promissory Note (the "1995 Note") and (ii) for such loan and the 1995 Note to be secured by the lien and security interest therein provided for; and

WHEREAS, the Issuer will endorse the 1995 Note without recourse and assign certain of its rights under the Loan Agreement as security for the Amended and Restated City of Indianapolis Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project) (the "1995 Bond"), which is payable solely and only out of the payments to be made by the Borrower with respect to the 1995 Note, except to the extent paid out of proceeds of condemnation and insurance;

WHEREAS, the Indianapolis Economic Development Commission on October 18, 1995 adopted a Resolution, which Resolution has been previously transmitted hereto finding that the execution of the (1) Amended and Restated Loan Agreement, Mortgage, Security Agreement dated as of September 1, 1995 between the Issuer and the Borrower (the "Amended and Restated Loan Agreement"); (2) 1995 Note; and (3) 1995 Bond in the forms presented at that meeting complies with the purposes and provisions of the Act and that such execution will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the form of the Amended and Restated Loan Agreement, 1995 Note and 1995 Bond by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; NOW, THEREFORE:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the execution of the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The form of the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond approved by the Indianapolis Economic Development Commission are each hereby approved and shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City-Controller. Two (2) copies of the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Mayor and City Clerk are authorized and directed to execute the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond approved herein and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed, on behalf of the City of Indianapolis. The Mayor and City Clerk may by their execution of the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond approve changes therein and also in any documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Commission if such changes do not affect terms set forth in IC 36-7-12-27(a)(1) through (a)(10).

SECTION 4. The provisions of this ordinance, the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond shall constitute a contract binding between the City of Indianapolis and the parties to the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond, and after the execution of the Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond, this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such party so long as said Amended and Restated Loan Agreement, the 1995 Note and the 1995 Bond shall remain in effect.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 738, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on October 20, 1995." The Council did not schedule Proposal No. 738, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 738, 1995 was retitled REZONING ORDINANCE NO. 166, 1995 and is identified as follows:

REZONING ORDINANCE NO. 166, 1995. 95-Z-4
8004 WEST 88TH STREET (approximate address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1.
MARVIN F. MILLER, SR. requests the rezoning of 23.7 acres, being in the D-A(FF) and D-2(FF) Districts, to the D-1(FF) classification to provide for single-family residential development.

PROPOSAL NOS. 739-747, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on October 19, 1995."

Councillor Giffin asked for consent to make some comments concerning Proposal No. 739, 1995. Consent was given. He stated that this rezoning is for 1200 acres in Decatur Township known as the Ameriplex Industrial Complex. He noted that a number of people were present who oppose this rezoning. He supports the rezoning because it will replace a lost tax base due to the location of the International Airport in Decatur Township.

Councillor Jimison moved for a public hearing on this proposal. This motion failed by the following roll call vote; viz:

11 YEAS: Black, Boyd, Brents, Gray, Jimison, Jones, Moriarty Adams, Mullin, Rhodes, Short, Williams

17 NAYS: *Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, McClamroch, O'Dell, Schneider, SerVaas, Shambaugh, Smith, Tilford, West*
1 NOT VOTING: *Hinkle*

Councillor Hinkle stated for the record that he believes Councillor Giffin has an excellent record in representing the people of Decatur Township.

The Council did not schedule Proposal Nos. 739-747, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 739-747, 1995 were retitled REZONING ORDINANCE NOS. 167-175, 1995, and are identified as follows:

REZONING ORDINANCE NO. 167, 1995. 95-Z-149
5950 KENTUCKY AVENUE (approximate address), INDIANAPOLIS, generally bound by I-70 on the North, County Line on the West and Kentucky Avenue on the Southeast.
DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19.
MIDWEST LOGISTICS PARTNERS, L.P., by Joseph M. Scimia, requests the rezoning of 1,217.24 acres, being in the D-A, D-3, I-2-S, I-3-S and I-4-S Districts, to the C-S classification to provide for a mixed use advanced technology and commerce park.

REZONING ORDINANCE NO. 168, 1995. 95-Z-129
6617 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13.
RICHARD BRUCE COOPER, by Peter D. Cleveland, requests the rezoning of 2.4 acres, being in the D-5 District, to the C-4 classification to provide for additions to an existing motel facility.

REZONING ORDINANCE NO. 169, 1995. 95-Z-158
130 EAST 30TH STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22.
DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 0.42 acre, being in the D-5 District, to the C-1 classification to provide for offices for a community development corporation.

REZONING ORDINANCE NO. 170, 1995. 95-Z-159
8465 CRAWFORDSVILLE ROAD (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18.
EAGLE VALLEY CHURCH OF CHRIST requests the rezoning of 2.95 acres, being in the D-A District, to the SU-1 classification to provide for church use.

REZONING ORDINANCE NO. 171, 1995. 95-Z-161
3418 EAST 20TH STREET (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 10.
CORDELL E. and ADELAIDE E. MAYNARD request the rezoning of 0.5 acre, being in the C-2 District, to the SU-1 classification to provide for the continued operation for a religious use.

REZONING ORDINANCE NO. 172, 1995. 95-Z-164
2551 TANSEL ROAD(rear) (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18.
REPUBLIC DEVELOPMENT CORPORATION, by James R. Nickles, requests the rezoning of 12.58 acres, being in the D-A District, to the D-3 classification to provide for residential development by platting.

REZONING ORDINANCE NO. 173, 1995. 95-Z-165
2351 TANSEL ROAD(rear) (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18.
REPUBLIC DEVELOPMENT CORPORATION, by James R. Nickles, requests the rezoning of 1.428 acres, being in the D-A District, to the D-3 classification to provide for residential development by platting.

REZONING ORDINANCE NO. 174, 1995. 95-Z-166
4728-4750 NORTH KEYSTONE AVENUE (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 6.

NORLE INVESTMENTS, INC. requests the rezoning of 0.3483 acre, being in the D-5 District, to the C-5 classification to provide for the continued operation for the sales of new and used automobiles.

REZONING ORDINANCE NO. 175, 1995. 95-Z-167

6848-6850 EAST 21ST STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 10.

RICHARD and R.W. ASKREN, by Mitch Sever, requests the rezoning of 7.5 acres, being in the SU-16 and C-2 District, to the C-4 classification to provide for commercial development.

PROPOSAL NO. 748, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on October 25, 1995." The Council did not schedule Proposal No. 748, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 748, 1995 was retitled REZONING ORDINANCE NO. 176, 1995, and is identified as follows:

REZONING ORDINANCE NO. 176, 1995. 95-Z-50 (Amended)

8926 SHELBY STREET (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25.

VIDYA MILLER SATOSKAR, requests the rezoning of 1.84 acres, being in the D-A District, to the C-1 classification to provide for a family practice doctor's office.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 616, 1995. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal No. 616, 1995 on October 12, 1995. The proposal is an appropriation of \$72,000 for the Department of Parks and Recreation, Golf Division, to pay for security fencing around the perimeter of the Coffin Golf Course financed by revenues from the Park General/Golf Fund. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin stated that subsequent to the Committee meeting there has been an effort by Councillor O'Dell to see if this \$72,000 appropriation could be a loan rather than an appropriation. Councillor O'Dell said that he has discussed this matter with the director and the financial representatives of the Parks Department. They need a few more weeks to see if this is possible. Councillor O'Dell moved, seconded by Councillor Giffin, to postpone Proposal No. 616, 1995 until November 20, 1995.

Councillor Gray stated that this appropriation is financed by green fees. He is opposed to postponing this proposal.

Proposal No. 616, 1995 was postponed until November 20, 1995 by a voice vote.

PROPOSAL NO. 620, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 620, 1995 on September 26, 1995. The proposal is an appropriation of \$100,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to pay for the digitizing of zoning maps financed by revenues from the Metropolitan Development General Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:04 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Smith, for adoption. Proposal No. 620, 1995 was adopted on the following roll call vote; viz:

October 30, 1995

22 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jones, McClamroch, Moriarty Adams, Schneider, SerVaas, Shambaugh, Short, Tilford, Williams

0 NAYS:

7 NOT VOTING: Hinkle, Jimison, Mullin, O'Dell, Rhodes, Smith, West

Proposal No. 620, 1995 was retitled FISCAL ORDINANCE NO. 106, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 106, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Thousand Dollars (\$100,000) in the Metropolitan Development General Fund for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division and reducing the unappropriated and unencumbered balance in the Metropolitan Development General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01. (k) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division to digitize zoning maps.

SECTION 2. The sum of One Hundred Thousand Dollars (\$100,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>METROPOLITAN DEVELOPMENT</u>
<u>NEIGHBORHOOD AND DEVELOPMENT SERVICES DIVISION</u>	<u>GENERAL FUND</u>
3. Other Services and Charges	100,000
TOTAL INCREASE	100,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>METROPOLITAN DEVELOPMENT</u>
	<u>GENERAL FUND</u>
Unappropriated and Unencumbered	
Metropolitan Development General Fund	100,000
TOTAL REDUCTION	100,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 621, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 621, 1995 on October 11, 1995. The proposal is an appropriation of \$6,974 for Superior Court, Criminal Division, Room Two, to pay court employees overtime in death penalty cases with sequestered jurors financed from County General Fund balances. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:07 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 621, 1995 was adopted on the following roll call vote; viz:

23 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jones, Moriarty Adams, O'Dell, Rhodes, SerVaas, Shambaugh, Short, Smith, West, Williams

1 NAY: McClamroch

5 NOT VOTING: Gray, Jimison, Mullin, Schneider, Tilford

Proposal No. 621, 1995 was retitled FISCAL ORDINANCE NO. 107, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 107, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Six Thousand Nine Hundred Seventy-four Dollars (\$6,974) in the County General Fund for purposes of the Superior Court, Criminal Division, Room Two and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02.(ff) and(b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Room Two to cover overtime expenses for court employees working with sequestered jurors in a death penalty case.

SECTION 2. The sum of Six Thousand Nine Hundred Seventy-four (\$6,974) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM TWO</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	5,551
<u>COUNTY AUDITOR</u>	
1. Personal Services, fringes	1,423
TOTAL INCREASE	6,974

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	6,974
TOTAL REDUCTION	6,974

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 625, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 625, 1995 on October 11, 1995. The proposal is an appropriation of \$272,850 for the County Sheriff to pay increased per diem cost and utilization of the Riverside Residential Center financed by revenues reserved for jail expansion in the County General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Williams stated that this facility is in her district and they are good neighbors. The issue is the zoning variance. The facility is zoned for 80 people; the facility needs to go through the zoning process to determine if it can be zoned for additional people. She moved to table this

proposal until the proper zoning procedures are followed. This motion was seconded by Councillor Boyd.

Councillor Dowden said that the zoning issue at Riverside needs to be resolved, but the Sheriff needs this money in order to take care of excess prisoners.

The President said that this appropriation supports the people detained at Riverside. He believes that if Riverside is in violation, an inspector from the Department of Metropolitan Development should file an action against it.

Councillor Williams' motion to table failed by the following roll call vote; viz:

10 YEAS: Black, Boyd, Brents, Golc, Gray, Hinkle, Jones, Mullin, Short, Williams
19 NAYS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Jimison, McClamroch, Moriarty Adams, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

The President called for public testimony at 8:22 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 625, 1995 was adopted on the following roll call vote; viz:

21 YEAS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Gilmer, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West
7 NAYS: Black, Boyd, Brents, Golc, Gray, Jones, Williams
1 NOT VOTING: Giffin

Proposal No. 625, 1995 was retitled FISCAL ORDINANCE NO. 108, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 108, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Two Hundred Seventy-two Thousand Eight Hundred Fifty Dollars (\$272,850) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered reserve for jail expansion in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(z) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to fund the increased per diem costs and utilization of the Riverside Residential Center through 1995.

SECTION 2. The sum of Two Hundred Seventy-two Thousand Eight Hundred Fifty Dollars (\$272,850) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

COUNTY SHERIFF

3. Other Services and Charges
TOTAL INCREASE

COUNTY GENERAL FUND

272,850
272,850

SECTION 4. The said additional appropriation is funded by the following reductions:

COUNTY GENERAL FUND

Unappropriated and Unencumbered
County General Fund
TOTAL REDUCTION

272,850
272,850

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 626, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 626, 1995 on October 11, 1995. The proposal is an appropriation of \$24,272 for Community Corrections to pay for five additional officers needed to staff Community Corrections Annex financed by revenues reserved for jail expansion in the County General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:23 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 626, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West, Williams

0 NAYS:

3 NOT VOTING: Black, Giffin, Short

Proposal No. 626, 1995 was retitled FISCAL ORDINANCE NO. 109, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 109, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Twenty-four Thousand Two Hundred Seventy-two Dollars (\$24,272) in the County General Fund for purposes of the Community Corrections Agency and reducing the unappropriated and unencumbered reserve for jail expansion in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(aa) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Community Corrections Agency for five additional officers needed to staff the Community Corrections Annex to receive additional offenders.

SECTION 2. The sum of Twenty-four Thousand Two Hundred Seventy-two Dollars (\$24,272) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

COMMUNITY CORRECTIONS AGENCY
3. Other Services and Charges
TOTAL INCREASE

COUNTY GENERAL FUND
24,272
24,272

SECTION 4. The said additional appropriation is funded by the following reductions:

COUNTY GENERAL FUND

Unappropriated and Unencumbered
County General Fund
TOTAL REDUCTION

24,272
24,272

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 630, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 630, 1995 on October 12, 1995. The proposal is an appropriation of \$1,250,000 for the Department of Public Works, Maintenance Operations Division, to fund Personal Services shortfalls financed by a transfer within the division's Maintenance Operations General Fund. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:26 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Rhodes, for adoption.

Councillor Tilford asked for consent to abstain due to a conflict of interest. Consent was given.

Proposal No. 630, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, West, Williams*
0 NAYS:
3 NOT VOTING: *Borst, Short, Tilford*

Proposal No. 630, 1995 was retitled FISCAL ORDINANCE NO. 110, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 110, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) in the Maintenance Operations General Fund for purposes of the Department of Public Works, Maintenance Operations Division and reducing certain other appropriations for the Maintenance Operations Division and the unappropriated fund balance.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (l) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Public Works, Maintenance Operations Division to fund budget shortfalls for health insurance, overtime, and salaries.

SECTION 2. The sum of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS
MAINTENANCE OPERATIONS DIVISION
1. Personal Services
TOTAL INCREASE

MAINTENANCE OPERATIONS
GENERAL FUND
1,250,000
1,250,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>MAINTENANCE OPERATIONS</u>
<u>MAINTENANCE OPERATIONS DIVISION</u>	<u>GENERAL FUND</u>
2. Supplies	412,605
3. Other Services and Charges	531,273
4. Capital Outlay	193,000
Unappropriated and Unencumbered Fund Balance	<u>113,122</u>
TOTAL REDUCTION	1,250,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 676, 1995. The proposal is an appropriation of \$15,268 for the Prosecuting Attorney to purchase audio/visual equipment to be used in child abuse cases financed by a state grant. Councillor Dowden asked for consent to postpone Proposal No. 676, 1995 until November 20, 1995. Consent was given.

PROPOSAL NO. 677, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 677, 1995 on October 25, 1995. The proposal is an appropriation of \$90,000 for the Prosecuting Attorney to continue a study of alternative sentences for impaired drivers financed by a state grant. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:28 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 677, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West, Williams*

0 NAYS:

3 NOT VOTING: *Brents, Hinkle, Short*

Proposal No. 677, 1995 was retitled FISCAL ORDINANCE NO. 111, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 111, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Ninety Thousand Dollars (\$90,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (w) and (b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney and County Auditor from a grant from the Governor's Council on Impaired and Dangerous Driving to continue a study began in 1994.

SECTION 2. The sum of Ninety Thousand Dollars (\$90,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

PROSECUTING ATTORNEY

1. Personal Services
2. Supplies
3. Other Services and Charges

STATE AND FEDERAL GRANTS FUND

65,540
360
7,715

COUNTY AUDITOR

1. Personal Services - fringes
- TOTAL INCREASE

16,385
90,000

SECTION 4. The said additional appropriation is funded by the following reductions:

STATE AND FEDERAL GRANTS FUND

- Unappropriated and Unencumbered
State and Federal Grants Fund
TOTAL REDUCTION

90,000
90,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 678, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 678, 1995 on October 25, 1995. The proposal is an appropriation of \$482,620 for the Marion County Public Defender Agency to cover unanticipated and unbudgeted expenses financed by transfers of \$7,580 within the agency's budget and by an appropriation of \$475,040 from the County General Fund balances. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillors Golc and Smith voiced their support for Proposal No. 678, 1995 in order to avert cutbacks to the agency.

Councillor Franklin stated that he opposes this proposal because 80% of the defendants who appear in court are declared indigent by the judges. He also said that it is not fair to ask law abiding citizens to carry the financial burden of the lawless without making a determination of their ability to pay.

Councillor Rhodes stated (1) that if the State wants counties to pay certain salaries, funding should be provided; and (2) that the majority of criminals could pay part of their defense. He said that next year there will be elections for the Superior Court and the Circuit Court judges. He hopes that the slating committees will ask the judges if they will support and actively collect in the recoupment program.

Councillor McClamroch said that he agrees with Councillors Franklin and Rhodes, but he believes the problems within the agency are externally caused. He moved to amend Proposal No. 678, 1995, by renumbering Section 5 as Section 6 and inserting a new Section 5 to read as follows:

SECTION 5. The Council's Public Safety and Criminal Justice Committee shall:

1. Review the composition and effectiveness of the Public Defender Board,

2. Review the management, structure, effectiveness, and operations of the Public Defender Agency,
3. Review the system of selection, compensation and assignment of public defenders providing legal representation of indigents in Marion County,
4. Analyze factors affecting the cost to taxpayers of the current public defender system,
5. Examine procedures for recoupment of costs from defendants provided legal services by the agency, and
6. Make recommendations to the City-County Council.

The Committee shall report to the full Council before any additional appropriations be afforded to the Public Defender Agency in 1996.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor McClamroch listed as some of the external factors as recoupment, the CHINS (Children in Need of Services) cases, Rule 24, increase in conflict cases, the grandfathered employees, and the structure of the Board of Directors. This motion was seconded by Councillor Rhodes.

Councillor Williams said she supports Councillor McClamroch's motion, but she would also list the win rate in the court room by the Public Defender Agency as an external factor. Councillors Jimison, Mullin, and Golc voiced their support of the motion.

Councillor Boyd said he agrees with the motion but would like to add to the amendment the effectiveness of the agency in the delivery of services to clients. The President asked Councillors McClamroch and Boyd to work out the final wording on this issue within the amendment.

Councillor West moved the question. This motion passed by a unanimous voice vote.

Councillor Franklin said that he supports the motion to amend and will support Proposal No. 678, 1995, as amended.

Councillor McClamroch's motion to amend passed by unanimous voice vote.

[Clerk's Note: Councillors McClamroch and Boyd agreed to include the word "effectiveness" in Section 5 (2) as follows: Review the management, structure, effectiveness, and operations of the Public Defender Agency.]

The President called for public testimony at 9:01 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor McClamroch, for adoption. Proposal No. 678, 1995, as amended, was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West*
0 NAYS:

Councillor Rhodes asked for consent to explain his vote. Consent was given. Councillor Rhodes said he voted for this proposal because of (1) Councillor McClamroch's amendment, and (2) his discussions with David Cook.

Proposal No. 678, 1995, as amended, was retitled FISCAL ORDINANCE NO. 112, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 112, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating Seven Thousand Five Hundred Eighty Dollars (\$7,580) and appropriating an additional Four Hundred Seventy-five Thousand Forty Dollars (\$475,040) in the County General Fund for purposes of the Marion County Public Defender Agency and reducing the unappropriated and unencumbered balance in County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(v) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Public Defender Agency for additional funds due to unanticipated and unbudgeted expenses.

SECTION 2. The sum of Seven Thousand Five Hundred Eighty Dollars (\$7,580) is transferred and Four Hundred Seventy-five Thousand Forty Dollars (\$475,040) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by transferring and reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	4,580
3. Other Services and Charges	<u>478,040</u>
TOTAL INCREASE	482,620

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	7,580
Unappropriated and Unencumbered County General Fund	<u>475,040</u>
TOTAL REDUCTION	482,620

SECTION 5. The Council's Public Safety and Criminal Justice Committee shall:

1. Review the composition and effectiveness of the Public Defender Board,
2. Review the management, structure, effectiveness, and operations of the Public Defender Agency,
3. Review the system of selection, compensation and assignment of public defenders providing legal representation of indigents in Marion County,
4. Analyze factors affecting the cost to taxpayers of the current public defender system,
5. Examine procedures for recoupment of costs from defendants provided legal services by the agency, and
6. Make recommendations to the City-County Council.

The Committee shall report to the full Council before any additional appropriations be afforded to the Public Defender Agency in 1996.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 679, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 679, 1995 on October 25, 1995. The proposal is an appropriation of \$39,724 for the Marion County Public Defender Agency to continue the Pretrial Release and Sentencing Project financed by a state grant. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:04 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 679, 1995 was adopted on the following roll call vote; viz:

25 YEAS: Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

1 NAYS: Rhodes

3 NOT VOTING: Beadling, Boyd, Giffin

Proposal No. 679, 1995 was retitled FISCAL ORDINANCE NO. 113, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 113, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Thirty-nine Thousand Seven Hundred Twenty-four Dollars (\$39,724) in the State and Federal Grants Fund for purposes of the Marion County Public Defender Agency and the County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (v) and (b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Public Defender Agency and County Auditor continuing funding for a pretrial release and sentencing alternative program.

SECTION 2. The sum of Thirty-nine Thousand Seven Hundred Twenty-four Dollars (\$39,724) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	19,470
2. Supplies	525
3. Other Services and Charges	13,605
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>6,124</u>
TOTAL INCREASE	39,724

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>STATE AND FEDERAL GRANTS FUND</u>	
Unappropriated and Unencumbered	
State and Federal Grants	<u>39,724</u>
TOTAL REDUCTION	39,724

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 680 and 681, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 680 and 681, 1995 on October 25, 1995. PROPOSAL NO. 680, 1995. The proposal is an appropriation of \$186,150 for the Community Corrections Agency to pay for 30 additional beds in the agency's work release and residential facilities financed by state and federal grants. PROPOSAL NO. 681, 1995. The proposal is an appropriation of \$60,000 for the Community Corrections Agency to pay for additional home detention equipment and vehicles financed by state and federal grants. By a 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:09 p.m. on Proposal No. 680, 1995. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 680, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

3 NOT VOTING: Coughenour, Giffin, Jones

Proposal No. 680, 1995 was retitled FISCAL ORDINANCE NO. 114, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 114, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional One Hundred Eighty-six Thousand One Hundred Fifty Dollars (\$186,150) in the State and Federal Grants Fund for purposes of the Community Corrections Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (aa) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Community Corrections Agency for thirty additional work release beds for 95/96.

SECTION 2. The sum of One Hundred Eight-six Thousand One Hundred Fifty Dollars (\$186,150) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>186,150</u>
TOTAL INCREASE	186,150

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants	<u>186,150</u>
TOTAL REDUCTION	186,150

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The President called for public testimony at 9:10 p.m. on Proposal No. 681, 1995. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 681, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Jimison*

Proposal No. 681, 1995 was retitled FISCAL ORDINANCE NO. 115, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 115, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Sixty Thousand Dollars (\$60,000) in the State and Federal Grants Fund for purposes of the Community Corrections Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (aa) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Community Corrections Agency for additional home detention equipment and vehicles.

SECTION 2. The sum of Sixty Thousand Dollars (\$60,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
4. Capital Outlay	<u>60,000</u>
TOTAL INCREASE	60,000

SECTION 4. The said additional appropriation is funded by the following reductions:

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered
State and Federal Grants
TOTAL REDUCTION

60,000
60,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

Councillor Dowden asked for consent to hear Proposal Nos. 670, 671, 674, 675, 683, and 684, 1995 at this time. Consent was given.

PROPOSAL NO. 670, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 670, 1995 on October 25, 1995. The proposal, sponsored by Councillor Curry, establishes the Metropolitan Emergency Communications Agency General Fund as a special, nonreverting fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 670, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Brents, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, Shambaugh, Short, Smith, Tilford, West

1 NAYS: Boyd

4 NOT VOTING: Coughenour, Giffin, SerVaas, Williams

Proposal No. 670, 1995 was retitled GENERAL ORDINANCE NO. 181, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 181, 1995

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by amending Article II of Chapter 135 concerning Nonreverting County Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Article II, Chapter 135 of the Revised Code of Indianapolis and Marion County is hereby amended by inserting the words underlined as follows:

ARTICLE II. NONREVERTING COUNTY FUNDS

Sec. 135-211. Metropolitan Emergency Communications Agency General Fund.

(a) There is hereby created a special, nonreverting fund for the Metropolitan Emergency Communications Agency, to be designated as the "MECA General Fund." With the exception of the revenues derived from the levy of taxes imposed under the authority of IC 36-8-15-19, the auditor shall deposit into such fund all moneys received by or credited to the Metropolitan Emergency Communications Agency in the performance of its functions and duties, as provided in Article I,

Chapter 10, Sections 10-1 through 10-9 of the Code of Indianapolis and Marion County, and other moneys duly appropriated during each year, as approved by the city-county council, and as provided by law.

(b) This fund shall be a continuing, nonreverting fund, with all balances remaining therein at the end of the year, and such balances shall not lapse into the county general fund or be diverted directly or indirectly in any manner other than that set forth in subsection (c).

(c) Moneys in the MECA General Fund may be used for expenses incurred in carrying out the functions and duties of the Metropolitan Emergency Communications Agency Board and the Metropolitan Emergency Communications Agency as provided in Article I, Chapter 10, Sections 10-1 through 10-9 of the Code of Indianapolis and Marion County.

(d) Amounts shall be paid from this fund only pursuant to appropriations authorized by the city-county council in the normal budgeting processes.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 671, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 671, 1995 on October 25, 1995. The proposal amends the schedule of compensation for County employees to allow the Chief Public Defender to be paid a salary equal to 90% of the total salary of the Marion County Prosecutor. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 671, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

3 NOT VOTING: Beadling, Black, Giffin

Proposal No. 671, 1995 was retitled GENERAL RESOLUTION NO. 9, 1995, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 9, 1995

A GENERAL RESOLUTION to establish a new salary range for the Marion County Chief Public Defender.

WHEREAS, pursuant to IC 36-3-6-3 the City-County Council has the authority to fix the annual compensation of all appointed officers, deputies and employees under its jurisdiction, including those whose compensation is payable from the county general fund; and

WHEREAS, the Council has exercised this authority by establishing a schedule of compensation for County employees; and

WHEREAS, in order to qualify for State funds which are available to reimburse counties that meet State Public Defender Commission Standards, the County is required to pay its Chief Public Defender a salary which is at least equal to ninety percent (90%) of the County Prosecutor; and

WHEREAS, the current schedule of compensation does not provide for a salary high enough to meet the minimum required salary for the Chief Public Defender; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council, as the legislative and fiscal body of Marion County hereby amends the compensation schedule for Marion County officers and employees by adding the underlined language:

<u>DBM RATING</u>	<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
A12	\$10,892	\$13,070	\$15,249
A13	12,295	14,754	17,213
B21	13,395	16,408	19,422
B22	14,670	17,971	21,272
B23	16,067	19,682	23,298
B24	17,598	21,557	25,516
B31	20,171	24,709	29,247
B32	23,527	28,821	34,115
C41	25,313	31,262	37,212
C42	27,013	33,360	39,708
C43	28,825	35,599	42,373
C51	30,892	38,615	46,338
C52	34,056	42,570	51,084
D61	34,311	43,746	53,181
D62	35,799	45,643	55,488
D63	38,201	48,706	59,211
D71	39,255	51,031	62,808
D72	43,276	56,248	69,241
E81	46,942	61,025	75,107
<u>E81 (Chief Public Defender)</u>	<u> </u>	<u> </u>	<u>90% of total salary of Marion County Prosecutor</u>
E82	50,091	65,119	80,147
E83	50,308	65,401	80,493

SECTION 2. The expressed or implied repeal or amendment by this resolution of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this resolution. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended resolution as if this resolution had not been adopted.

SECTION 3. Should any provision of this resolution be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this resolution. To this end the provisions of this resolution are severable.

SECTION 4. This resolution shall be in full force and effect after adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 674, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 674, 1995 on October 25, 1995. The proposal is an appropriation of \$4,400 for the Superior Court, Criminal Division, Room Six, to cover supply, phone, and computer expenses financed by a transfer of funds within the court's County General Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 674, 1995, as amended, was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

1 NOT VOTING: *Giffin*

Proposal No. 674, 1995, as amended, was retitled FISCAL ORDINANCE NO. 116, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 116, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Four Thousand Four Hundred Dollars (\$4,400) in the County General Fund for purposes of the Superior Court, Criminal Division, Room Six and reducing certain other appropriations for that Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (jj) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Room Six transferring funds to cover shortages in supplies and other services and charges.

SECTION 2. The sum of Four Thousand Four Hundred Dollars (\$4,400) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	1,700
3. Other Services and Charges	<u>2,700</u>
TOTAL INCREASE	4,400

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>4,400</u>
TOTAL DECREASE	4,400

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 675, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 675, 1995 on October 25, 1995. The proposal is an appropriation of \$4,000 for the Superior Court, Criminal Division, Probation Department, to cover copying and telephone expenses financed by a transfer of funds within the department's County General Fund. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 675, 1995 was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, Williams

1 NAYS: Black

3 NOT VOTING: Giffin, Gray, West

Proposal No. 675, 1995 was retitled FISCAL ORDINANCE NO. 117, 1995, and reads as follows:

October 30, 1995

CITY-COUNTY FISCAL ORDINANCE NO. 117, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Four Thousand Dollars (\$4,000) in the County General Fund for purposes of the Superior Court, Criminal Division, Probation Department and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (II) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Probation Department to cover shortages in copying and telephone charges.

SECTION 2. The sum Four Thousand Dollars (\$4,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

SUPERIOR COURT, CRIMINAL DIVISION

PROBATION DEPARTMENT

3. Other Services and Charges
TOTAL INCREASE

COUNTY GENERAL FUND

4,000
4,000

SECTION 4. The said increased appropriation is funded by the following reductions:

SUPERIOR COURT, CRIMINAL DIVISION

PROBATION DEPARTMENT

4. Capital Outlay
TOTAL DECREASE

COUNTY GENERAL FUND

4,000
4,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 683, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 683, 1995 on October 25, 1995. The proposal is an appropriation transferring \$20,210 within the Community Corrections Agency's County General Fund budget to reflect the proper character classification of maintenance agreements. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 683, 1995 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, Williams*

0 NAYS:

4 NOT VOTING: *Giffin, Gray, Jones, West*

Proposal No. 683, 1995 was retitled FISCAL ORDINANCE NO. 118, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 118, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Twenty Thousand Two Hundred Ten Dollars (\$20,210) in the County General Fund for purposes of the Community Corrections Agency and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (aa) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Community Corrections Agency to transfer funds for maintenance agreements for proper character classification.

SECTION 2. The sum of Twenty Thousand Two Hundred Ten Dollars (\$20,210) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	20,210
TOTAL INCREASE	20,210

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>COMMUNITY CORRECTIONS AGENCY</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	20,210
TOTAL DECREASE	20,210

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 684, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 684, 1995 on October 25, 1995. The proposal is an appropriation of \$2,500 for the Department of Public Safety, Weights and Measures Division, to purchase a computer financed by a transfer within the division's Consolidated County Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 684, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, Williams*
0 NAYS:
3 NOT VOTING: *Black, Giffin, West*

Proposal No. 684, 1995 was retitled FISCAL ORDINANCE NO. 119, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 119, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Two Thousand Five Hundred Dollars (\$2,500) in the Consolidated County Fund for purposes of the Department of Public Safety, Weights and Measures Division and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (n) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Weights and Measures Division to purchase a personal computer.

SECTION 2. The sum of Two Thousand Five Hundred Dollars (\$2,500) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>WEIGHTS AND MEASURES DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
4. Capital Outlay	<u>\$2,500</u>
TOTAL INCREASE	\$2,500

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>WEIGHTS AND MEASURES DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	<u>\$2,500</u>
TOTAL REDUCTION	\$2,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 520, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 520, 1995 on October 23, 1995. The proposal gives employees who are affected by the information technology outsourcing an additional opportunity to convert accrued sick leave to benefit leave and receive pay for it upon separation. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Shambaugh, for adoption.

Councillor Williams asked if the Information Services Agency ("ISA") is now privatized--are the agreements finalized. Tom Olsen, Acting Director, ISA, stated the present status of the negotiations is an agreement of substance. It is the intention of the ISA Board to submit an ordinance for introduction at the next Council meeting concerning this issue.

Proposal No. 520, 1995, as amended, was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:
2 NOT VOTING: *Coughenour, Giffin*

Proposal No. 520, 1995, as amended was retitled GENERAL ORDINANCE NO. 182, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE 182, 1995

A PROPOSAL FOR A GENERAL ORDINANCE adding Sec. 23-40 of the Code of Indianapolis and Marion County to prohibit the payout of compensatory time to exempt and excluded employees.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. Section 23-40 of the Code of Indianapolis and Marion County is hereby added to read as follows:

Section 23-40. Special Conversion Period.

(a) Notwithstanding Sec. 23-39(c), current employees of the Information Services Agency (ISA) and any other City and County employees whose job functions are to be performed by the information technology outsourcing vendor pursuant to the Information Operating Agreement ("Agreement") ("affected employees") may elect to convert accrued sick leave in excess of 144 hours or 135 hours (whichever is applicable) to benefit leave at the rate of one (1) benefit leave hour for every two (2) sick hours. Such election must be made in writing to the appropriate official or department director no more than thirty (30) days after the City-County Council has given approval to the Agreement and will be effective upon submission. Affected employees who elected to convert sick leave effective July 1, 1995 or January 1, 1996 pursuant to Sec. 23-39(c)(2) may elect to rescind the conversion by notifying the appropriate official or department director in writing of the rescission prior to February 15, 1996. Upon such notification, the affected employee will be credited with appropriate sick leave as computed in this section to the extent he/she has sufficient benefit leave to reconvert.

(b) Notwithstanding 23-26(h) current employees of ISA may carry over an unlimited number of benefit leave hours, with the approval of the ISA director, from calendar year 1995 to calendar year 1996. The maximum carry over limits established by Sec. 23-26(h) shall apply to ISA employees in subsequent years.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 665, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 665, 1995 on October 24, 1995. The proposal amends the Comprehensive Zoning Maps of Marion County by updating base maps #1, #3, #19, and #32. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Beadling, for adoption. Proposal No. 665, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Rhodes, Schneider, SerVaas, Shambaugh, Short, Tilford, West, Williams

0 NAYS:

5 NOT VOTING: Dowden, Giffin, Hinkle, O'Dell, Smith

Proposal No. 665, 1995 was retitled GENERAL ORDINANCE NO. 183, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 183, 1995
METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 95-AO-11

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County, Indiana, which Ordinance includes the Comprehensive Zoning Maps of Marion County, Indiana, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana Ordinances for the zoning or districting of all lands within the County for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Comprehensive Zoning Maps of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 70-AO-4, as amended, pursuant to IC 36-7-4, be further amended to update specifically base maps #1, #3, #19, and #32 of said maps to include subsequent rezonings (which Comprehensive Zoning Maps, as amended, are attached hereto, incorporated herein by reference and made a part of this Ordinance); and all land within the area noted on the four sections of base map #1, the four sections of base map #3, the four sections of base map #19, and the four sections of base map #32 are hereby classified, divided and zoned in accordance with the zoning district classifications as designated upon said Comprehensive Zoning Maps, as amended, thereby updating said Comprehensive Zoning Maps to include various rezonings by individual legal description or map amendments adopted subsequent to Metropolitan Development Commission docket number 87-AO-2.

SECTION 2. The adoption of the Comprehensive Zoning Maps, as amended, shall not supercede, amend or repeal any individually initiated rezoning ordinances approved by the City-County Council subsequent to July 17, 1995, and thereafter legally effective (which rezoning by individual legal description have not been mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said maps in a subsequent map updating amendment hereto).

SECTION 3. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal Airport Zoning Ordinance (94-AO-2, which includes the language of the former Airspace District Zoning Ordinance [62-AO-2] as amended) and the Airspace District Map adopted as a part thereof, establishing the Airspace District as a secondary zoning district of Marion County, Indiana.

SECTION 4. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal the Floodway and Floodway District Fringe zoning district boundaries, as adopted under Metropolitan Development Commission docket number 92-AO-7.

SECTION 5. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

PROPOSAL NO. 666, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 666, 1995 on October 23, 1995. The proposal provides for the continuation of an early retirement incentive plan for certain City employees as negotiated with AFSCME. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Short, for adoption. Proposal No. 666, 1995 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West, Williams

0 NAYS:

3 NOT VOTING: Boyd, Giffin, Short

Proposal No. 666, 1995 was retitled GENERAL ORDINANCE NO. 184, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 184, 1995

A GENERAL ORDINANCE amending Section 23-13 to the Code of Indianapolis and Marion County.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. Section 13 of Article I of Chapter 23 of the Code of Indianapolis and Marion County is hereby amended by adding the words underlined and deleting the words stricken as follows:

(a) Effective as of ~~June~~ September 30, 1993~~5~~, the city may make an early retirement program available to city employees who are in positions covered by the Master Agreement between the City of Indianapolis and the American Federation of State, County and Municipal Employees, Indiana Council 62 as follows:

- (1) The program shall be available to covered employees who are eligible for retirement benefits under the Public Employees' Retirement Fund.
- (2) The following schedule of benefits shall apply to employees who elect to take early retirement:
 - (i) For employees who have completed at least 10 years but less than 15 years of continuous service with the city: ~~\$1,500.00~~ 1,750.00.
 - (ii) For employees who have completed at least 15 years but less than 20 years of continuous service with the city: ~~\$3,000.00~~ 3,500.00.
 - (iii) For employees who have completed at least 20 years ~~or more~~ but less than 25 years of continuous service with the city: ~~\$5,200.00~~ 5,500.00.
 - (iv) For employees who have completed 25 or more years of continuous service with the City:
\$6,500.00.
- (3) Employees who elect to participate in the program may choose to have the benefit paid in a lump sum upon retirement, or may have the amount of the benefit applied to the purchase of continued health insurance under the city's health insurance plan, pursuant to state and federal law. The selection between these options must be made at least thirty (30) calendar days prior to retirement.
- (4) Employees who choose to apply the benefit to the purchase of health insurance may do so under rules established by the office of the controller.
- (5) The city may, at its option, elect to make this program available from time to time. However, the city shall make the program available at least once in calendar years 1993~~5~~, 1996, 1997 and 1998 ~~and once in calendar year 1994~~. The program may be made available on an unlimited basis or for a limited number of covered employees. The program may be made available citywide or on a departmental basis.
- (b) The program authorized by this section shall expire upon the expiration of the 1993~~5~~ 1994 Master Agreement between the City of Indianapolis and the American Federation of State, County and Municipal Employees, Indiana Council 62.

SECTION 2. The expressed or implied repeal or amendment by this ordinance or any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of the ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provisions (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the council and compliance with IC 36-3-4-14.

PROPOSAL NO. 667, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 667, 1995 on October 23, 1995. The proposal is an appropriation of \$40,000 for the County Assessor to cover purchase of computer equipment financed by transfers within the agency's Property Reassessment Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Jimison, for adoption. Proposal No. 667, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:
2 NOT VOTING: *Boyd, Giffin*

Proposal No. 667, 1995 was retitled FISCAL ORDINANCE NO. 120, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 120, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Forty Thousand Dollars (\$40,000) in the Property Reassessment Fund for purposes of the County Assessor and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (l) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Assessor to transfer funds to properly classify the purchase of computer equipment.

SECTION 2. The sum of Forty Thousand Dollars (\$40,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
4. Capital Outlay	<u>40,000</u>
TOTAL INCREASE	40,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>COUNTY ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
3. Other Services and Charges	<u>40,000</u>
TOTAL DECREASE	40,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 668, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 668, 1995 on October 23, 1995. The proposal is an appropriation transferring \$11,520 for additional and originally anticipated expenditures, including GIS equipment upgrades and replacements, for the Washington Township Assessor financed by

transfers within the assessor's Property Reassessment Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Black, for adoption. Proposal No. 668, 1995, as amended, was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:
2 NOT VOTING: *Boyd, Giffin*

Proposal No. 668, 1995, as amended, was retitled FISCAL ORDINANCE NO. 121, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 121, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Eleven Thousand Five Hundred Twenty Dollars (\$11,520) in the Property Reassessment Fund for purposes of the Washington Township Assessor and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (t) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Washington Township Assessor to transfer funds to proper character for additional and originally anticipated expenditures, upgrades and replacements.

SECTION 2. The sum of Eleven Thousand Five Hundred Twenty Dollars (\$11,520) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
2. Supplies	4,250
3. Other Services and Charges	2,000
4. Capital Outlay	<u>5,270</u>
TOTAL INCREASE	11,520

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
1. Personal Services	<u>11,520</u>
TOTAL DECREASE	11,520

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 669, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 669, 1995 on October 24, 1995. The proposal is an appropriation of \$99,500 for the Department of Metropolitan Development, Planning Division, to transfer a federal grant for the Naval Air Warfare Center from contractual to internally operated within the department's Metropolitan Development General Fund. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved,

seconded by Councillor Smith, for adoption. Proposal No. 669, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

2 NOT VOTING: *Boyd, Giffin*

Proposal No. 669, 1995 was retitled FISCAL ORDINANCE NO. 122, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 122, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Ninety-nine Thousand Five Hundred Dollars (\$99,500) in the Metropolitan Development General Fund for purposes of the Department of Metropolitan Development, Planning Division and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (k) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes Department of Metropolitan Development, Planning Division to re-allocating the Federal Grant for Naval Air Warfare Center planning from contractual to internally operated.

SECTION 2. The sum of Ninety-nine Thousand Five Hundred Dollars (\$99,500) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>METROPOLITAN DEVELOPMENT</u>
<u>PLANNING DIVISION</u>	<u>GENERAL FUND</u>
1. Personal Services	55,000
2. Supplies	12,000
4. Capital Outlay	<u>32,500</u>
TOTAL INCREASE	99,500

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>METROPOLITAN DEVELOPMENT</u>
<u>PLANNING DIVISION</u>	<u>GENERAL FUND</u>
3. Other Services and Charges	<u>99,500</u>
TOTAL REDUCTION	99,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 712, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 712, 1995 on October 25, 1995. The proposal, sponsored by Councillor Hinkle, requests the Metropolitan Development Commission to initiate and adopt amendments to the Commercial and the Special Use Zoning Ordinance so as to require that commercial bingo operations would be permitted only in a SU-44 or similar district established for premises the primary or dominate use of which is for gambling activities. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as

amended. Councillor West moved, seconded by Councillor Hinkle, for adoption. Proposal No. 712, 1995, as amended, was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 NOT VOTING: Giffin

Proposal No. 712, 1995, as amended, was retitled COUNCIL RESOLUTION NO. 71, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 71, 1995

WHEREAS, current state laws authorizing "bingo" parlors have resulted in increasing numbers of essentially commercial bingo establishments in or near residential and light commercial zoning districts; and

WHEREAS, current zoning classifications when adopted did not contemplate specific gambling activities as a lawful commercial activity; and

WHEREAS, these activities create special concerns when operating in close proximity of residential and certain commercial uses; now, therefore:

BE IT RESOLVED, BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. That the Director and staff of the Department of Metropolitan Development draft and propose to the Metropolitan Development Commission appropriate amendments to the Commercial and Dwelling Districts Zoning Ordinances and the Special Use Zoning Ordinance so as to require that commercial bingo operations would be permitted only in a SU-44 or similar district established for premises the primary or dominant use of which is for gambling activities.

SECTION 2. That said Director report to the Council's Metropolitan Development Committee on the progress of this project no later than December 20, 1995.

SECTION 3. That this resolution is in full force and effect upon adoption.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 327, 532, 589, 595, 600, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, and 697, 1995 on October 25, 1995. He stated that he will discuss and vote on Proposal No. 589, 1995 first, and then discuss and vote on the remaining transportation proposals.

PROPOSAL NO. 589, 1995. The proposal clarifies that the Board of Capital Asset Management has authority over sanitary sewer construction permits. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal No. 589, 1995 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 NOT VOTING: Giffin

Proposal No. 589, 1995 was retitled GENERAL ORDINANCE NO. 185, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 185, 1995

A GENERAL ORDINANCE amending Section 271-25 of the Revised Code of the Consolidated City and County.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 271-25 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 271-25. Powers

The capital asset management board shall:

- (1) Review all budgets of the metropolitan thoroughfare district and the department prepared for or proposed by the department and shall recommend to the city-county council any revisions or adjustments as the board deems desirable.
- (2) Hold any hearings to be held following public notice and make such findings and determinations required by applicable law to be made after such hearing, including but not limited to the issuance of special taxing district bonds.
- (3) Approve the award and amendment of contracts by the department for the purchase or lease of capital equipment, supplies, materials, services, or other property where the contract is required to be bid under IC 36-1-9.
- (4) Approve the award and amendment of public construction contracts required to be bid under IC 36-1-12.
- (5) Approve the acquisition of and leases for real estate.
- (6) Approve the disposal of property by department as specified in IC 36-1-11.
- (7) Approve the employment of persons engaged by contract to render professional or consulting services.
- (8) Accept streets and roads into the public road system after dedication pursuant to the procedure set forth in chapter 28 of the 1975 Code of Indianapolis and Marion County.
- (9) Hold hearings on appeal from denial of permits or waivers under the jurisdiction of the department of capital asset management.
- (10) Exercise the powers granted to ~~of~~ the board of public works ~~in~~ by IC 36-9-18, IC 36-9-19, IC 36-9-20, IC 36-9-21, IC 36-9-22, IC 36-9-37, IC 36-9-38 and IC 36-9-39.
- (11) Exercise all powers granted to the transportation board by IC 36-9-6.5 and IC 36-9-11.1.
- (12) Contract with any individual or corporation for providing streetlights, maintenance for streetlights and lighting for streets, alleys or public places, but any such contract shall be submitted to the city-county council for approval. No such contract shall be for a term of longer than twenty-five (25) years.
- (13) To enter into a franchise, grant or contract authorizing a telephone, telegraph, electric light, gas, water, steam, railroad, or interurban company or any other person or corporation to erect and use structures in streets, alleys or other public places in the city. Any such franchise, grant, or contract is subject to conditions imposed by chapter 31 of the 1975 Code. This power shall not be construed in any way to interfere with the exclusive power of the cable franchise board

established in section 8½-40 of the 1975 Code of Indianapolis and Marion County or the power of the board of public works pursuant to IC 36-9-31.

- (14) Exercise flood control power as described in IC 36-9-29.1, and drainage power as described in IC 36-9-27.
- (15) Exercise all powers not specifically stated herein formerly granted to the board of transportation and not transferred to the board of public works pursuant to IC 36-3-4-23.
- (16) Exercise the powers given to the board of public works or transportation in chapters 7, 10½, 28, 29 (except article 4, division 3), 31 and 671, articles II, ~~and~~ V and VII.

SECTION 2. The express or implied repeal or amendment by this ordinance or any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

Councillor Beadling asked that Proposal No. 696, 1995 be heard separately.

PROPOSAL NO. 696, 1995. The proposal, sponsored by Councillor Brents, authorizes 55 degree parking on Washington Street on the south side from Alabama Street to Delaware Street (District 16). By a 4-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Brents, for adoption.

Councillors Beadling and Curry voiced their opposition to this proposal because they believe the 55 degree parking on Washington Street will be hazardous. Councillor Rhodes suggested that these new angle parking spaces on Washington Street be for police vehicles only and let the public park on Market Street in front of the City-County Building.

The President passed the gavel to Vice President McClamroch. The President stated that it is his opinion that angle parking on busy streets is hazardous. The Vice President returned the gavel to the President.

Councillor O'Dell voiced his support for this proposal. Councillor Gilmer stated that he believes that the angle parking is worth a try. He also said that he liked Councillor Rhodes' suggestion.

Councillor Coughenour moved to table the proposal for further study. Councillor Jones seconded the motion.

Councillor Short said he is against tabling this proposal. He supports the proposal. Washington Street broadens from three to five lanes at Alabama Street. Cars will not be backing out of these angle parking spaces into traffic.

Councillor Coughenour's motion to table failed by a voice vote.

Councillor Schneider said that this proposal has been through the Committee process, it has been studied by the engineers and the experts in the transportation department. Councillor Schneider moved the previous question.

Proposal No. 696, 1995 was adopted on the following roll call vote; viz:

19 YEAS: Black, Boyd, Brents, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, Shambaugh, Short, Smith, Williams

9 NAYS: Beadling, Borst, Coughenour, Curry, Jones, Rhodes, SerVaas, Tilford, West

1 NOT VOTING: Giffin

Proposal No. 696, 1995 was retitled GENERAL ORDINANCE NO. 186, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 186, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-254, Manner of parking.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-254, Manner of parking, be, and the same is hereby, amended by deleting the stricken-through text and inserting the underlined text to read as follows:

(e) *Fifty-five degree angles.* Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of fifty-five (55) degrees to the curb, or if there is no curb, then to the line of the traveled roadway, shall be used, and vehicles shall not park otherwise thereon:

55 degree parking
Washington Street, on the south side,
from Alabama Street to Delaware Street

(f) (e) Notwithstanding any other provision of this Code, it shall be unlawful for the owner, driver or operator of any vehicle to park or stop such vehicle or to permit such vehicle to be parked or to stand at any time, without exception, adjacent to any portion of a curb which is painted yellow.

(g) (f) Curbs which are painted yellow may include areas where a vehicle's parking, stopping or standing is prohibited by another section of this Code, or other areas deemed necessary by the transportation board.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 327, 1995. The proposal, sponsored by Councillor Williams, removes the parking restrictions on the west side of Delaware Street from 28th Street to 32nd Street (District 22). PROPOSAL NO. 532, 1995. The proposal, sponsored by Councillor Gilmer, authorizes the Department of Capital Asset Management to permit Ogden Martin Systems to establish a steam line within the public right-of-way on Harding Street from 1000 feet south of Raymond Street to Kentucky Avenue. PROPOSAL NO. 595, 1995. The proposal, sponsored by Councillor Hinkle, authorizes multi-way stops for Sunningdale Boulevard and Country Club Road (District 18). PROPOSAL NO. 600, 1995. The proposal, sponsored by Councillors Boyd, Jones, and Schneider, authorizes changes in the speed limit for Keystone Avenue from I-70 to I-465

(Districts 3, 6, 7, 10, 11). PROPOSAL NO. 686, 1995. The proposal, sponsored by Councillor Gilmer, authorizes a traffic signal at 79th Street and Payne Road (District 1). PROPOSAL NO. 687, 1995. The proposal, sponsored by Councillor Gilmer, authorizes multi-way stops for the intersections located in the subdivision of Coopers Pointe Sections 1 and 2 (District 1). PROPOSAL NO. 688, 1995. The proposal, sponsored by Councillor Jones, authorizes a multi-way stop at Brookside Parkway North Drive and Olney Street (District 10). PROPOSAL NO. 689, 1995. The proposal, sponsored by Councillor Williams, authorizes a multi-way stop at 26th Street and Boulevard Place (District 22). PROPOSAL NO. 690, 1995. The proposal, sponsored by Councillor Brents, authorizes a stop sign at Talbott Street and Michigan Street (District 16). PROPOSAL NO. 691, 1995. The proposal, sponsored by Councillor Beadling, authorizes a multi-way stop at Crescent Court and LaHabra Lane (District 5). PROPOSAL NO. 692, 1995. The proposal, sponsored by Councillor Black, authorizes a multi-way stop at Buckingham Drive and Cornelius Avenue (District 6). PROPOSAL NO. 693, 1995. The proposal, sponsored by Councillor Rhodes, authorizes a multi-way stop at Riverview Drive and 61st Street (District 7). PROPOSAL NO. 694, 1995. The proposal, sponsored by Councillor Borst, authorizes parking restrictions on Thompson Road from State Road 37 to a point 2,000 feet west of State Road 37 (District 25). PROPOSAL NO. 695, 1995. The proposal, sponsored by Councillor Brents, authorizes no parking restrictions on Meridian Street on the west side from Merrill Street to a point 100 feet south of Merrill Street (District 16). PROPOSAL NO. 697, 1995. The proposal, sponsored by Councillor Gilmer, authorizes a 35 mph speed limit on Cooper Road from 88th Street to 96th Street (District 1). By unanimous votes, the Committee reported Proposal Nos. 327, 532, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, and 697, 1995 to the Council with the recommendation that they do pass. By unanimous votes, the Committee reported Proposal No. 595 and 600, 1995 to the Council with the recommendation that they do pass as amended. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal Nos. 327, 532, 595, 600, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, and 697, 1995 were adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

1 NOT VOTING: Giffin

Proposal No. 327, 1995 was retitled GENERAL ORDINANCE NO. 187, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 187, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby, amended by the deletion of the following, to wit:

*from 7:00 a.m. to 9:00 a.m.,
Delaware Street, on the west side,
from 28th Street to 30th Street*

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 532, 1995 was retitled GENERAL ORDINANCE NO. 188, 1995, and reads as follows:

CITY COUNTY GENERAL ORDINANCE NO. 188, 1995

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by amending Chapter 28 to authorize the Department of Capital Asset Management to permit Ogden Martin Systems of Indianapolis, Inc. to establish a steam line within the public right-of-way on Harding Street from 1000 feet south of Raymond Street to Kentucky Avenue.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Code of Indianapolis and Marion County is hereby amended to add a new section, to read as follows:

Sec. 28-227

Notwithstanding the provisions of Sec. 28-194 or 28-227 the department of capital asset management may permit Ogden Martin Systems of Indianapolis, Inc. to establish a steam line within the public right-of-way on Harding Street from 1000 feet south of Raymond Street to Kentucky Avenue.

SECTION 2. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

Proposal No. 595, 1995 was retitled GENERAL ORDINANCE NO. 189, 1995, and reads as follows:

CITY-COUNCIL GENERAL ORDINANCE NO. 189, 1995
Proposal No. 595, 1995

Your Committee, to which this proposal was referred, has amended the proposal to read as follows and recommends its adoption as amended.

CITY-COUNTY GENERAL ORDINANCE NO. 189, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22, Pg. 12	Sunningdale Blvd, Gradison Cir	Sunningdale Blvd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22, Pg. 6	Sunningdale Blvd, Country Club Rd	Country Club Rd	Stop
22, Pg. 6	Brookhill Ct, Manita Dr	Brookhill Ct	Stop
22, Pg. 6	Cressmoor Ct, Manita Dr	Cressmoor Ct	Stop
22, Pg. 6	Cressmoor Ct, Sunningdale Blvd	None	All Way Stop
22, Pg. 12	Sunningdale Ct, Sunningdale Blvd	None	All Way Stop
22, Pg. 10	Maurice Dr, Sunningdale Blvd	Sunningdale Blvd	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 600, 1995 was retitled GENERAL ORDINANCE NO. 190, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 190, 1995

Your Committee, to which this proposal was referred, has amended the proposal to read as follows and recommends its adoption as amended.

CITY-COUNTY GENERAL ORDINANCE NO. 190, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the deletion of the following, to wit:

35 MPH
Keystone Way,
from I-70 to 24th Street

35 MPH
Keystone Avenue,
from 24th Street to Fall Creek Parkway N. Drive

35 MPH
Keystone Avenue,
from 56th Street to Broad Ripple Avenue

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the addition of the following, to wit:

October 30, 1995

35 MPH
Keystone Avenue,
from I-70 to 71st Street

40 MPH
Keystone Avenue
from 71st Street to 80th Street

45 MPH
Keystone Avenue,
from 80th Street to I-465

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 686, 1995 was retitled GENERAL ORDINANCE NO. 191, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 191, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
2, Pg. 5	79th St, Payne Rd	79th St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
2, Pg. 5	79th St, Payne Rd	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 687, 1995 was retitled GENERAL ORDINANCE NO. 192, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 192, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
10, Pg. 5	Cooper Pointe Cir, Cooperstone Ct	Cooper Pointe Cir	Yield
10, Pg. 5	Cooper Pointe Cir, Cooper Pointe Dr	Cooper Pointe Dr	Stop
10, Pg. 5	Cooper Pointe Cir, Lendsmith Cir	Cooper Pointe Cir	Yield
10, Pg. 5	Cooper Pointe Dr, 62nd St	62nd St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 688, 1995 was retitled GENERAL ORDINANCE NO. 193, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 193, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 7	Olney St, Brookside Pkwy NDR	Olney St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 7	Olney St, Brookside Pkwy NDR	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 689, 1995 was retitled GENERAL ORDINANCE NO. 194, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 194, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 6	26th St, Boulevard Place	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 690, 1995 was retitled GENERAL ORDINANCE NO. 195, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 195, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 35	Talbott St, Michigan St	Michigan St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 691, 1995 was retitled GENERAL ORDINANCE NO. 196, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 196, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7, Pg. 3	Crescent Ct LaHabra Ln	LaHabra Ln	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7, Pg. 3	Crescent Ct LaHabra Ln	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 692, 1995 was retitled GENERAL ORDINANCE NO. 197, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 197, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 3	Buckingham Dr Cornelius Av	Buckingham Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 3	Buckingham Dr Cornelius Av	None	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 693, 1995 was retitled GENERAL ORDINANCE NO. 198, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 198, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 23	Riverview Dr 61st St	Riverview Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 23	Riverview Dr 61st St	None	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 694, 1995 was retitled GENERAL ORDINANCE NO. 199, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 199, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

Thompson Road, both sides,
from State Road 37 to a point 2,000 feet west of State Road 37

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 695, 1995 was retitled GENERAL ORDINANCE NO. 200, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 200, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-267, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby, amended by the addition of the following, to wit:

Meridian Street, on the west side,
from Merrill Street to a point 100 feet south of Merrill Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 697, 1995 was retitled GENERAL ORDINANCE NO. 201, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 201, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the addition of the following, to wit:

35 MPH
Cooper Road,
from Eighty-eighth Street to Ninety-six Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**POLICE SPECIAL SERVICE DISTRICT
SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 672, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 672, 1995 on October 25, 1995. The proposal is an appropriation of \$30,000 for the Department of Public Safety, Police Division, acting as an intermediary agent, to expand the Indianapolis Police Athletic League's community policing youth activities financed by a state grant. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:17 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 672, 1995 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:
1 NOT VOTING: *Giffin*

Proposal No. 672, 1995 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 1995, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 1995

A FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1995 (Police Special Service District Fiscal Ordinance No. 2, 1994) appropriating an additional Thirty Thousand Dollars (\$30,000) in the Police Service District Fund for purposes of the Department of Public Safety, Police Division and reducing the unappropriated and unencumbered balance in the Police Service District Fund.

BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Police Special Service District Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Department of Public Safety, Police Division to receive and relinquish a grant from the Indiana Criminal Justice Institute for the Indianapolis Police Athletic League.

SECTION 2. The sum of Thirty Thousand Dollars (\$30,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

POLICE SERVICE DISTRICT FUND

3. Other Services and Charges

30,000

TOTAL INCREASE

30,000

SECTION 4. The said additional appropriation is funded by the following reductions:

Unappropriated and Unencumbered

POLICE SERVICE DISTRICT FUND

Police Service District Fund

30,000

TOTAL REDUCTION

30,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

OLD BUSINESS

Councillor West pointed out that Proposal No. 583, 1995 is listed under Pending Proposals. At the last Council meeting Proposal No. 583 was postponed until October 30, 1995; therefore, action should be taken on this proposal. Councillor McClamroch moved, seconded by Councillor Borst, to table Proposal No. 583, 1995. This motion passed by unanimous voice vote.

Councillor Rhodes moved to suspend the Council Rules to hear Proposal No. 353, 1995 at this time. He said that he would like this proposal to be heard prior to the General Elections. Councillor Borst seconded the motion, and it passed by unanimous voice vote.

PROPOSAL NO. 353, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 353, 1995 on October 23, 1995. The proposal amends the salaries of the mayor and the councillors after January 1, 1996. By a 3-3 vote, the motion to strike failed in Committee.

Councillor Short voiced his opposition to this proposal since this would be a 41% pay raise. Councillor Borst moved, seconded by Councillor Short, to strike Proposal No. 353, 1995. Proposal No. 353, 1995 was stricken by the following roll call vote; viz:

25 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

3 NAYS: Black, Franklin, Hinkle

1 NOT VOTING: Giffin

Councillor Borst asked for consent to hear Proposal No. 348, 1995 at this time. Consent was given.

PROPOSAL NO. 348, 1995. The proposal concerns annual budgets. Councillor Borst said that since the 1996 budgets have already been approved, he moved to strike Proposal No. 348, 1995. Councillor Schneider seconded the motion. Proposal No. 348, 1995 was stricken by unanimous voice vote.

NEW BUSINESS

Councillor Gray asked that the Councillors remember firefighter John Rikken.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by Councillor Franklin in memory of Mrs. Margaret Young Brooks.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Mrs. Margaret Young Brooks. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to her family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:20 p.m.

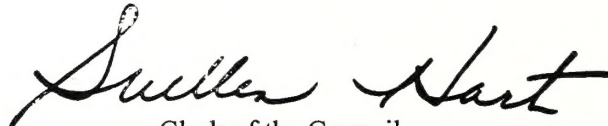
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 30th day of October, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, NOVEMBER 20, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m. on Monday, November 20, 1995, with Councillor SerVaas presiding.

Councillor Black led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

27 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams
2 ABSENT: Moriarty Adams, Schneider

A quorum of twenty-seven members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Hinkle recognized Gene Stofer, Wayne Township Trustee, and Larry Curl, Wayne Township's Fire Chief. Councillor Coughenour introduced Councillor-elect Bob Massie. Councillor-elect Bob Cockrum was also recognized.

OFFICIAL COMMUNICATIONS

Councillor Franklin, Chairman of the Public Transit Task Force, presented a report on public transportation in Indianapolis. He said that the Public Transit Task Force recommends that the Council accept the bids as presented by the Public Transportation Selection Committee to

improve, revamp, and expand Indianapolis' public bus system. It also recommends transferring \$6 million currently held in the Office of the Controller to the Department of Capital Asset Management to fund the public transportation system.

Councillor Gray stated that he does not believe the City has sufficient money for this plan. He suggested withholding a vote on this matter until the full amount can be identified. Councillor Borst said that the City hopes to cover the deficit by negotiating final offers with the recommended vendors and by increasing ridership.

Councillor Curry moved to accept the report of the Public Transit Task Force. Councillor Beadling seconded the motion, which passed by a voice vote.

The President stated that public hearings will continue on this matter. The Capital Asset Management Committee will meet on December 6, 1995 and hear further testimony.

Councillor Borst recognized Michael Smith, a consultant to the City on this project.

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, November 20, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

November 6, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Wednesday, November 8, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 633, 634, 635, 636, 673, 676, 682, and 723, 1995, said hearing to be held on November 20, 1995 at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

November 3, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

FISCAL ORDINANCE NO. 106, 1995: an appropriation of \$100,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to pay for the digitizing of zoning maps financed by revenues from the Metropolitan Development General Fund

FISCAL ORDINANCE NO. 109, 1995: an appropriation of \$24,272 for Community Corrections to pay for five additional officers needed to staff Community Corrections Annex financed by revenues reserved for jail expansion in the County General Fund

FISCAL ORDINANCE NO. 110, 1995: an appropriation of \$1,250,000 for the Department of Public Works, Maintenance Operations Division, to fund Personal Services shortfalls financed by a transfer within the division's Maintenance Operations General Fund

FISCAL ORDINANCE NO. 111, 1995: an appropriation of \$90,000 for the Prosecuting Attorney to continue a study of alternative sentences for impaired drivers financed by a state grant

FISCAL ORDINANCE NO. 112, 1995: an appropriation of \$482,620 for the Marion County Public Defender Agency to cover unanticipated and unbudgeted expenses financed by transfers of \$7,580 within the agency's budget and by an appropriation of \$475,040 from the County General Fund balances

FISCAL ORDINANCE NO. 113, 1995: an appropriation of \$39,724 for the Marion County Public Defender Agency to continue the Pretrial Release and Sentencing Project financed by a state grant

FISCAL ORDINANCE NO. 114, 1995: an appropriation of \$186,150 for the Community Corrections Agency to pay for 30 additional beds in the agency's work release and residential facilities financed by state and federal grants

FISCAL ORDINANCE NO. 115, 1995: an appropriation of \$60,000 for the Community Corrections Agency to pay for additional home detention equipment and vehicles financed by state and federal grants

FISCAL ORDINANCE NO. 117, 1995: an appropriation of \$4,000 for the Superior Court, Criminal Division, Probation Department, to cover copying and telephone expenses financed by a transfer of funds within the department's County General Fund

FISCAL ORDINANCE NO. 118, 1995: an appropriation transferring \$20,210 within the Community Corrections Agency's County General Fund budget to reflect the proper character classification of maintenance agreements

FISCAL ORDINANCE NO. 119, 1995: an appropriation of \$2,500 for the Department of Public Safety, Weights and Measures Division, to purchase a computer financed by a transfer within the division's Consolidated County Fund

FISCAL ORDINANCE NO. 121, 1995: an appropriation transferring \$11,520 for additional and originally anticipated expenditures, including GIS equipment upgrades and replacements, for the Washington Township Assessor financed by transfers within the assessor's Property Reassessment Fund

FISCAL ORDINANCE NO. 122, 1995: an appropriation of \$99,500 for the Department of Metropolitan Development, Planning Division, to transfer a federal grant for the Naval Air Warfare Center from contractual to internally operated within the department's Metropolitan Development General Fund

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE 5, 1995: an appropriation of \$30,000 for the Department of Public Safety, Police Division, acting as a intermediary agent, to expand the Indianapolis

GENERAL ORDINANCE NO. 181, 1995: establishes the Metropolitan Emergency Communications Agency General Fund as a special, nonreverting fund

GENERAL ORDINANCE NO. 182, 1995: gives employees who are affected by the information technology outsourcing an additional opportunity to convert accrued sick leave to benefit leave and receive pay for it upon separation

GENERAL ORDINANCE NO. 184, 1995: provides for the continuation of an early retirement incentive plan for certain City employees as negotiated with AFSCME

GENERAL ORDINANCE NO. 185, 1995: clarifies that the Board of Capital Asset Management has authority over sanitary sewer construction permits

GENERAL ORDINANCE NO. 186, 1995: authorizes 55 degree parking on Washington Street on the south side from Alabama Street to Delaware Street (District 16)

GENERAL ORDINANCE NO. 187, 1995: removes the parking restrictions on the west side of Delaware Street from 28th Street to 32nd Street (District 22)

GENERAL ORDINANCE NO. 188, 1995: authorizes the Department of Capital Asset Management to permit Ogden Martin Systems to establish a steam line within the public right-of-way on Harding Street from 1000 feet south of Raymond Street to Kentucky Avenue

GENERAL ORDINANCE NO. 189, 1995 authorizes multi-way stops for Sunningdale Boulevard and Country Club Road (District 18)

GENERAL ORDINANCE NO. 190, 1995: authorizes changes in the speed limit for Keystone Avenue from I-70 to I-465 (Districts 3, 6, 7, 10, 11)

GENERAL ORDINANCE NO. 191, 1995: authorizes a traffic signal at 79th Street and Payne Road (District 1)

GENERAL ORDINANCE NO. 192, 1995: authorizes multi-way stops for the intersections located in the subdivision of Coopers Pointe Sections 1 and 2 (District 1)

GENERAL ORDINANCE NO. 193, 1995: authorizes a multi-way stop at Brookside Parkway North Drive and Olney Street (District 10)

GENERAL ORDINANCE NO. 194, 1995: authorizes a multi-way stop at 26th Street and Boulevard Place (District 22)

GENERAL ORDINANCE NO. 195, 1995: authorizes a stop sign at Talbott Street and Michigan Street (District 16)

GENERAL ORDINANCE NO. 196, 1995: authorizes a multi-way stop at Crescent Court and LaHabra Lane (District 5)

GENERAL ORDINANCE NO. 197, 1995: authorizes a multi-way stop at Buckingham Drive and Cornelius Avenue (District 6)

GENERAL ORDINANCE NO. 198, 1995: authorizes a multi-way stop at Riverview Drive and 61st Street (District 7)

GENERAL ORDINANCE NO. 199, 1995: authorizes parking restrictions on Thompson Road from State Road 37 to a point 2,000 feet west of State Road 37 (District 25)

GENERAL ORDINANCE NO. 200, 1995: authorizes no parking restrictions on Meridian Street on the west side from Merrill Street to a point 100 feet south of Merrill Street (District 16)

GENERAL ORDINANCE NO. 201, 1995: authorizes a 35 mph speed limit on Cooper Road from 88th Street to 96th Street (District 1)

SPECIAL RESOLUTION NO. 86, 1995: recognizes the Korean and Vietnam War Veterans Memorials in Indianapolis

SPECIAL RESOLUTION NO. 87, 1995: amends S.R. No. 34, 1995, by increasing the amount of the inducement resolution from \$15,000,000 to \$17,000,000 and by extending the expiration date through May 31, 1996 for Willowbrook Park, L.P. (4803 Round Lake Road - District 7)

GENERAL RESOLUTION NO. 9, 1995: amends the schedule of compensation for County employees to allow the Chief Public Defender to be paid a salary equal to 90% of the total salary of the Marion County Prosecutor

SPECIAL ORDINANCE NO. 17, 1995: amends S.O. No. 43, 1985 by authorizing the extension of the maturity date for the previously issued City of Indianapolis Economic Development Revenue Bond (Web Reality of Indianapolis, Ltd. Project) (6803 North Coffman Road - District 1)

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journal of October 30, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 803, 1995. The proposal, sponsored by Councillor Jimison, recognizes Reverend Dr. Andrew J. Brown. Councillor Jimison read the proposal and moved for its adoption. Councillor West seconded the motion, and it passed by unanimous voice vote.

Proposal No. 803, 1995 was retitled SPECIAL RESOLUTION NO. 91, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 91, 1995

A SPECIAL RESOLUTION recognizing Reverend Dr. Andrew J. Brown.

WHEREAS, Reverend Dr. Andrew J. Brown was born November 20, 1922, in Duncan, Mississippi, as a young man married Rose Lee Nicholson, and to their union was born Dr. Thomas L. Brown, Dr. Monica Lett and Miss Adrienne Brown; and

WHEREAS, Reverend Dr. Brown attended many institutions, including Moody Bible Institute in Chicago, Bishop College in Dallas, Butler University in Indianapolis, received his Doctor of Divinity Degree from the Christian Theological Seminary in this city and was pastor of St. John Missionary Baptist Church on Dr. Andrew J. Brown Avenue from 1947 to 1990; and

WHEREAS, he, working with Dr. Martin Luther King, Jr., provided courageous and effective leadership by organizing the Indianapolis Social Action Committee in 1955, the local affiliate chapter of the Southern Christian Leadership Conference and in implementing social action campaigns in the city and state against segregational barriers in business and government; and

WHEREAS, Reverend Dr. Brown is and has been an active community spirit serving on the boards of the Southern Christian Leadership Conference, Martin Center University, Central Theological Seminary, Indianapolis Community Service Council, as a Trustee of the Dr. Martin Luther King, Jr. Center for Social Change in Atlanta, was a founder of Indiana Black Expo, organized the first Operation Breadbasket program in our city and built the City of Refuge on 17th Street that provides Drug Church for moral and spiritual deliverance, Prison Ministry and a Love Center for the poor and needy; and

WHEREAS, he has received numerous honors including the Sagamore of the Wabash, keys to numerous cities and on November 19, 1986, was honored by having a street in our city named for him; and

WHEREAS, on this the celebration of his seventy-third birthday, Reverend Dr. Brown is being honored with a dinner sponsored by a number of Indianapolis clergy; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council joins in the celebration of the accomplishments and achievements of an outstanding champion of civil rights and social change, Reverend Dr. Andrew J. Brown.

SECTION 2. The Council wishes him the happiest of birthdays, and many more to come.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 777, 1995. The proposal, sponsored by Councillors O'Dell and Tilford, recognizes students Stephen Irons and Joseph "Joe" McIntosh. Councillor O'Dell read the proposal and presented copies of the document to the students. Messrs. Irons and McIntosh expressed their appreciation for the recognition. The students' families were also present. Councillor O'Dell moved, seconded by Councillor Tilford, for adoption. Proposal No. 777, 1995 was adopted by unanimous voice vote.

Proposal No. 777, 1995 was retitled SPECIAL RESOLUTION NO. 88, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 88, 1995

A SPECIAL RESOLUTION recognizing students Stephen Irons and Joseph "Joe" McIntosh.

WHEREAS, most of Tuesday, October 24th, was like any other school day for good friends twelve-year-old Stephen Irons and eleven-year-old Joseph "Joe" McIntosh; and

WHEREAS, after school at Our Lady of Lourdes Catholic School in Irvington Stephen was riding his bicycle to Joe's house when he saw some money along the side of the street; and

WHEREAS, the money was covered with red ink, and he and Joe decided that it must be from a bank; so the sixth graders gathered it all up and took the huge wads and loose twenties to look for a policeman; and

WHEREAS, they found an officer in Union Federal Savings Bank at 5646 East Washington Street which had earlier been robbed, but the bank was locked so they started piling the recovered cash outside the door to return it to its rightful owner; and

WHEREAS, the bank door opened quickly, they recovered their money and rewarded the boys for their honesty with savings bonds and Pacer's tickets; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and commends sixth graders Stephen Irons and Joseph "Joe" McIntosh for their outstanding integrity in returning the stolen money that they found.

SECTION 2. Such an admirable display of morality is a high tribute to the boys, their parents and their teachers; and by not taking something that doesn't belong to them serves as an outstanding example of good citizenship for others to emulate.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 778, 1995. The proposal, sponsored by Councillors Hinkle and Giffin, recognizes the Ben Davis Cross Country Team State Champions. Councillor Golc was also at the podium. Councillor Hinkle read the proposal and presented copies of the document to the team members and coaches. Coach Scott Williams expressed his appreciation for the recognition. Councillor Hinkle moved, seconded by Councillor Giffin, for adoption. Proposal No. 778, 1995 was adopted by unanimous voice vote.

Proposal No. 778, 1995 was retitled SPECIAL RESOLUTION NO. 89, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 89, 1995

A SPECIAL RESOLUTION recognizing the Ben Davis Cross Country Team State Champions.

WHEREAS, Saturday, November 4th, was cold and dreary, but the Ben Davis High School Boys Cross Country Team members were ready for the important State Finals run at Southeastway Park in Indianapolis; and

WHEREAS, Portage, the top ranked cross country team in the state, and 19th ranked in the nation, was also at Southeastway Park; and

WHEREAS, the young men from Ben Davis in Wayne Township had "run" a long way by winning the county, sectional, regional and semi-state meets, and they were determined to give this last run their best possible effort; and

WHEREAS, during the State Finals Meet, the Ben Davis runners set a new Ben Davis record, captured several All-State awards and edged out the top seeded Portage runners 102 to 106 to capture the state crown; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates the 1995 state champion Ben Davis High School Cross Country Team: Fasil Bizuneh, Brad Bernhardt, Derek Eaton, Dallas Scott, A. J. Rader, Tim Sweeney, Keith Crawford, Brian Garden, Dustin Nichols, Jeremiah Gallagher, Dan Craft, Dave Hmurovich, Johnny Smith, Matt Burton, K.C. Spaulding, Scott Sewell, Mike Divita and Matt Hockersmith.

SECTION 2. The Council also recognizes the team coaches: Scott T. Williams, Bill Wilham, Kevin Vanderbush, Mark Lehr, and Mark Bernhardt, the school faculty and staff, the supportive parents, and everyone else who helped with this newest chapter of the winning tradition of Ben Davis High School.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 779, 1995. The proposal, sponsored by Councillor Beadling, recognizes Bob Gregory's Coats for Kids Program. Councillor Beadling read the proposal and presented copies of the document to Bob Gregory, WTHR Channel 13 Television; Michael Washington, Tuchman Cleaners; Captain Amick, Salvation Army; and Mary Howard, CRE Relations--all expressed their appreciation for the recognition. Councillor Beadling moved, seconded by Councillor Coughenour, for adoption. Proposal No. 779, 1995 was adopted by unanimous voice vote.

Proposal No. 779, 1995 was retitled SPECIAL RESOLUTION NO. 90, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 90, 1995

A SPECIAL RESOLUTION recognizing Bob Gregory's Coats for Kids program.

WHEREAS, in the mid-1980's, a three part idea came together on how to get coats to needy children during our cold Northern winters; and

WHEREAS, a very special three party team was organized to help solve this community need; and

WHEREAS, Bob Gregory's Coats for Kids involves Bob Gregory of WTHR Television Channel 13 to help spread the word about the coat collection including the big annual coat drive at an Indianapolis Colts football game, Tuchman Cleaners which collects and cleans the coats at its 31 stores throughout the community, and the Salvation Army which organizes the distribution of winter outerwear at one large Distribution Day each year at the State Fairgrounds; and

WHEREAS, during the nine years that Bob Gregory's Coats for Kids has been in operation, 72,000 coats have been donated to give winter comfort for the children; and

WHEREAS, this fall, 7,000 coats were distributed at the Fairgrounds, with another 3,500 taken to children's homes around the community; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and commends all those involved with the Bob Gregory's Coats for Kids charity, especially popular television personality Bob Gregory of WTHR Channel 13 Television, Tuchman Cleaners employees and President Jim Dunn, the Salvation Army, and the many Indianapolis citizens who have donated 72,000 new and used coats for needy children during the past nine years.

SECTION 2. Indianapolis is a better community in which to live because of Bob Gregory's Coats for Kids, and the many other individual and organized acts of charity and kindness generously displayed by its citizens and businesses.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 780, 1995. The proposal, sponsored by Councillor SerVaas, approves a schedule of regular council meetings for the year 1996. Councillor Short moved, seconded by Councillor Borst, to amend Proposal No. 780, 1995 by moving the January 2nd meeting to January 8. This motion passed by unanimous voice vote. Councillor Gilmer moved, seconded by Councillor Short, for adoption. Proposal No. 780, 1995, as amended, was adopted by unanimous voice vote.

Proposal No. 780, 1995, as amended, was retitled COUNCIL RESOLUTION NO. 72, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 72, 1995

A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 1996.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby approves the following schedule of regular meetings for the year 1996:

- | | | | |
|------|---------------------------|------|----------------------------|
| (1) | Monday, January 08, 1996 | (11) | Monday, July 22, 1996 |
| (2) | Monday, January 22, 1996 | (12) | Monday, August 05, 1996 |
| (3) | Monday, February 12, 1996 | (13) | Monday, August 19, 1996 |
| (4) | Monday, February 26, 1996 | (14) | Monday, September 09, 1996 |
| (5) | Monday, March 18, 1996 | (15) | Monday, September 30, 1996 |
| (6) | Monday, April 08, 1996 | (16) | Monday, October 14, 1996 |
| (7) | Monday, April 29, 1996 | (17) | Monday, October 28, 1996 |
| (8) | Monday, May 20, 1996 | (18) | Monday, November 11, 1996 |
| (9) | Monday, June 10, 1996 | (19) | Monday, November 25, 1996 |
| (10) | Monday, June 24, 1996 | (20) | Monday, December 16, 1996 |

PROPOSAL NO. 713, 1995. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 713, 1995 on November 14, 1995. The proposal, sponsored by Councillor McClamroch, selects Marvin Hawkins as its appointment to committees established to determine common construction wages in Marion County. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor McClamroch, for adoption.

Councillor Golc said that he believes that until there is a decision rendered by the court in the prevailing wage laws in litigation in Lake County, the adoption of Proposal No. 713, 1995 might be counter-productive at this time. Robert G. Elrod, General Counsel, stated that currently there is no order in effect that is applicable to Marion County concerning this matter.

Proposal No. 713, 1995 was adopted on the following roll call vote; viz:

17 YEAS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, McClamroch, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West
9 NAYS: Black, Boyd, Brents, Golc, Gray, Jones, Mullin, Short, Williams
1 NOT VOTING: Jimison
2 ABSENT: Moriarty Adams, Schneider

Proposal No. 713, 1995 was retitled COUNCIL RESOLUTION NO. 73, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION 73, 1995

WHEREAS, IC 5-16-7-1 (as amended by P.L. 81-1995) provides for the determination of the "common construction wage" to be paid for labor on certain construction projects of certain governmental agencies; and

WHEREAS, such law requires those governmental agencies, prior to advertising for such construction, to set up a committee to make such wage determinations; and

WHEREAS, one of the five members of each such committee set up in Marion County is to be appointed by the City-County Council; and

WHEREAS, the Council wishes to avoid acting on a new appointment each time another such committee is established in Marion County; now, therefore:

BE IT RESOLVED, BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The council selects Marvin Hawkins as its appointment to committees established to determine common construction wages in Marion County. Such appointment to be for each committee set up for a project the funding source for which is a tax paid by such appointee.

SECTION 2. The President of the Council is authorized to certify the foregoing person as the Council appointment to the committee to determine the common construction wage established by any governmental agency with respect to a project located in Marion County if such person is a qualified taxpayer with respect to the project for which the committee is established.

SECTION 3. The foregoing appointment is at the pleasure of the Council or until December 31, 1996, and until each such committee to which such person is appointed has completed its statutory duties.

PROPOSAL NO. 718, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 718, 1995 on November 15, 1995. The proposal, sponsored by Councillor McClamroch, reappoints Donald R. Hudson to the Indianapolis-Marion County

Building Authority Board of Trustees. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor McClamroch, for adoption. Proposal No. 718, 1995 was adopted by unanimous voice vote.

Proposal No. 718, 1995 was retitled COUNCIL RESOLUTION NO. 74, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 74, 1995

A COUNCIL RESOLUTION reappointing Donald R. Hudson to the Indianapolis-Marion County Building Authority Board of Trustees.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis-Marion County Building Authority Board of Trustees, the Council appoints:

Donald R. Hudson

SECTION 2. The appointment made by this resolution is for a term ending June 3, 1999. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 726, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 726, 1995 on November 8, 1995. The proposal, sponsored by Councillors McClamroch and Moriarty Adams, appoints David McClure to the Animal Control Board. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor McClamroch, for adoption. Proposal No. 726, 1995 was adopted by unanimous voice vote.

Proposal No. 726, 1995 was retitled COUNCIL RESOLUTION NO. 75, 1995, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 75, 1995

A COUNCIL RESOLUTION appointing David McClure to the Animal Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Animal Control Board, the Council appoints:

David McClure

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 750, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Special Districts Zoning

Ordinance in order to comply with the State's "Development Plan Law" (95-AO-12)"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 751, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Wellfield Protection Zoning Ordinance to conform with the state law regarding the appointment of a hearing officer in lieu of a board of zoning appeals (95-AO-13A)"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 752, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Wellfield Protection Zoning Ordinance by extending the expiration date from July 1, 1996 to December 31, 1996 (95-AO-13B)"; and the President referred it to the Metropolitan Development Committee.

Councillor West moved to suspend the rules and hear Proposal Nos. 750, 751, and 752, 1995 at this meeting. The President ruled that the proposals would be heard during the Final Adoption section.

PROPOSAL NO. 753, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which authorizes tax anticipation borrowing for the City during the period from January 1, 1996 through December 31, 1996"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 754, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which authorizes tax anticipation borrowing for the County General Fund, the County Family and Children Fund, and the County Welfare General Fund during the period from January 1, 1996 through December 31, 1996"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 755, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$150,000 for the County Sheriff to pay the increased food expense due to a larger inmate population financed by transfers of other appropriations within the department's County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 756, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$14,192 to continue the Salvation Army's Domestic Violence Program through the Prosecuting Attorney financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 757, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$38,300 for the Prosecutor's Child Support IV-D Agency to cover contractual consultant expense financed by transfers of appropriations within the agency's County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 758, 1995. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$900 for the Superior Court, Criminal Division, Room Four, to pay for maintenance agreement, postage, and electrical

work expenses financed by a transfer within the court's County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 759, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which corrects Fiscal Ordinance No. 177, 1995 for the Superior Court, Criminal Division, Probation Department"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 760, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$31,252 for the Superior Court, Juvenile Division/Detention Center, to provide legal assistance for children through Child Advocates, Inc. financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 761, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$49,967 for the Superior Court, Juvenile Division/Detention Center, to fund Partners for Youth financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 762, 1995. Introduced by Councillor Dowden, Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$68,425 for the Superior Court, Juvenile Division/Detention Center, to fund the Southside Youth Council/Teen Court Program financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 763, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$25,536 for the Court Administrator Agency to continue the Visiting Nurse Service as part of the Family Connection Center Program financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 764, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which approves an information technology operating agreement between the City/County and the SCT Software and Resource Management Corporation"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 765, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Crittenden Avenue and 61st Street (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 766, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Rural Street and 72nd Street (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 767, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Tacoma Avenue and 72nd Street (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 768, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at North Street and Oakland Avenue (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 769, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at North Street and Parker Avenue (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 770, 1995. Introduced by Councillor Tilford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Shortridge Road and 13th Street (District 12)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 775, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which is an inducement resolution for The Malachi Corporation, Inc., in an amount not to exceed \$6,500,000 to proceed with the acquisition, renovation and equipping of the four existing nursing homes located at 1747 North Rural Street, 901 North East Street, 1118 East 46th Street, and 1910 North Delaware Street (Districts 6, 22)"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 776, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the disbursement of \$731,949 from the Drug Free Community Fund for various county agencies"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 781, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which corrects Fiscal Ordinance No. 100, 1995 for the Prosecuting Attorney and the County Auditor"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 782, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$6,000,000 for the Department of Capital Asset Management for public transportation initiatives financed by a transfer of appropriations from the Office of the Controller's State Grants Fund"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 783, 1995. Introduced by Councillors Giffin, Rhodes, Black, and Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which provides for healthcare benefits for qualified former employees"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 784, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Comprehensive Zoning Maps of Marion County by updating base maps #7, #8, #10, and #15"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 802, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves extension of cable franchise of

American Cablevision of Indianapolis until June 1, 1996"; and the President referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Borst reported that the Economic Development Committee heard Proposal Nos. 771, 772, 773, and 774, 1995 on November 16, 1995. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

PROPOSAL NO. 771, 1995. The proposal amends S.R. No. 78, 1994, as amended, by extending the expiration date for Post Pointe Partners, Ltd., through June 30, 1996 at 9027 East 39th Place (District 14). Councillor Borst moved, seconded by Councillor Jimison, for adoption. Proposal No. 771, 1995 was adopted on the following roll call vote; viz:

23 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Short, Smith, Tilford, West

0 NAYS:

4 NOT VOTING: Boyd, Franklin, Jimison, Williams

2 ABSENT: Moriarty Adams, Schneider

Proposal No. 771, 1995 was retitled SPECIAL RESOLUTION NO. 92, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 92, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 78, 1994, as amended, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 78, 1994, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Post Pointe Partners, Ltd. (the "Company") which Inducement Resolution set an expiration date of November 30, 1995 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of November 30, 1995, contained therein and replacing said date with the date of June 30, 1996.

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 772, 1995. The proposal authorizes the execution of an Assignment and Assumption of Loan Agreement and other related documents concerning the previously issued \$2 million City of Indianapolis Health Care Facility Revenue Bond, Series A (Castleton Nursing Home Project) at 7630 East 86th Street (District 4). Councillor Borst moved, seconded by Councillor Dowden, for adoption. Proposal No. 772, 1995 was adopted on the following roll call vote; viz:

18 YEAS: Beadling, Borst, Boyd, Curry, Dowden, Giffin, Gilmer, Golc, Hinkle, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West

1 NAY: Coughenour

8 NOT VOTING: Black, Brents, Franklin, Gray, Jimison, Jones, Short, Williams

2 ABSENT: Moriarty Adams, Schneider

Proposal No. 772, 1995 was retitled SPECIAL ORDINANCE NO. 18, 1995, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 18, 1995

A SPECIAL ORDINANCE approving the execution of an Assignment and Assumption of Loan Agreement and Other Related Documents relating to the previously issued City of Indianapolis, Indiana Health Care Facility Revenue Bond, Series A (Castleton Nursing Home Project) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indiana Code, Title 36, Article 7, Chapters 11.9 and 12 (the "Act"), has been enacted by the General Assembly of Indiana; and

WHEREAS, the Act declares that the financing of economic development facilities and refunding of such financings constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may pursuant to the Act issue revenue bonds and lend the proceeds thereof to a corporation for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") has previously issued its \$2,000,000 Health Care Facility Revenue Bond, Series A (Castleton Nursing Home Project) (the "Bond") pursuant to that certain Assignment (the "Assignment"), dated as of May 1, 1993, from the Issuer to National Healthcorp L.P., a limited partnership duly organized and existing under the laws of the State of Delaware (the "Lender"),

WHEREAS, the Issuer issued the Bond to refinance certain indebtedness incurred in connection with the acquisition of a certain nursing home located within the City of Indianapolis, Indiana, as more particularly described in the Assignment (the "Project"), including necessary expenses incidental to the issuance of the Bond;

WHEREAS, the Bond was issued on May 26, 1993;

WHEREAS, American Health Corporation (formerly American Health Care-Castleton, Inc.), a not-for-profit corporation organized and existing under the laws of the State of Tennessee (the "Assignor") desires to assign all of its right, title and interest in and to that certain Loan Agreement (the "Loan Agreement"), dated as of May 1, 1993, by and between the Issuer, as lender, and the Assignor, as borrower, and other related documents to American Health Care, Inc., a not-for-profit corporation organized and existing under the laws of the State of Tennessee (the "Assignee") and Assignee has agreed to assume all of the Assignor's obligations under the Loan Agreement and other related documents;

WHEREAS, the Indianapolis Economic Development Commission on November 15, 1995 adopted a Resolution, which Resolution has been previously transmitted hereto finding that the execution of the Assignment and Assumption of Loan Agreement and Other Related Documents (the "Assignment and Assumption Agreement") in the form presented at that meeting complies with the purposes and provisions of the Act and that such execution will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the form of the Assignment and Assumption Agreement by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; NOW, THEREFORE:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the execution of the Assignment and Assumption Agreement will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The form of the Assignment and Assumption Agreement approved by the Indianapolis Economic Development Commission is hereby approved and shall be kept on file by the Clerk of the Council or City-Controller. Two (2) copies of the Assignment and Assumption Agreement are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Mayor and City Clerk are authorized and directed to execute the Assignment and Assumption Agreement approved herein and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed, on behalf of the City of Indianapolis. The Mayor and City Clerk may by their execution of the Assignment and Assumption Agreement approve changes therein and also in any documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Commission if such changes do not affect terms set forth in IC 36-7-12-27(a)(1) through (a)(10).

SECTION 4. The provisions of this ordinance, the Assignment and Assumption Agreement shall constitute a contract binding between the City of Indianapolis and the parties to the Assignment and Assumption Agreement and after the execution of the Assignment and Assumption Agreement, this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such party so long as said Assignment and Assumption Agreement shall remain in effect.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 773, 1995. The proposal authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$5 million for Pleasant Run Children's Homes, Inc. at 2400 North Tibbs Avenue (District 16). Councillor Borst moved, seconded by Councillor Brents, for adoption. Proposal No. 773, 1995 was adopted on the following roll call vote; viz:

23 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West

0 NAYS:

4 NOT VOTING: Franklin, Jimison, Short, Williams

2 ABSENT: Moriarty Adams, Schneider

Proposal No. 773, 1995 was retitled SPECIAL ORDINANCE NO. 19, 1995, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 19, 1995

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its City of Indianapolis, Indiana Variable Rate Demand Economic Development Revenue Bonds, Series 1995 (Pleasant Run Children's Homes, Inc. Project), in the aggregate principal amount not to exceed Five Million Dollars (\$5,000,000) (the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, a representative of Pleasant Run Children's Homes, Inc. (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the acquisition, renovation and equipping of the existing Noble Centers facility located at 2400 North Tibbs Avenue, Indianapolis, Indiana (located on land which is currently being leased from Marion County, Indiana by the Noble Centers and which will be leased from Marion County, Indiana by the Company) which will be owned and operated by the Company to provide residential treatment services for children ages 6-18 years and to provide office space for home-based counseling, therapeutic foster care, residential group homes and wrap-around services; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, construction, renovation, installation and equipping of the Project by issuing its City of Indianapolis, Indiana Variable Rate Demand Economic Development Revenue Bonds, Series 1995 (Pleasant Run Children's Homes, Inc. Project), in the aggregate principal amount not to exceed Five Million Dollars (\$5,000,000) (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on November 15, 1995 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to a Trust Indenture (the "Indenture") dated as of November 1, 1995 by and between the Issuer and Fifth Third Bank of Central Indiana, as Trustee (the "Trustee") in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of November 1, 1995, between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Loan Agreement, Indenture, Bond Placement Agreement among the Issuer, Company and NatCity Investments, Inc. (the "Placement Agent"), Preliminary Private Placement Memorandum, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed Five Million Dollars (\$5,000,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Financing Agreement to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Private Placement Memorandum is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Private Placement Memorandum is hereby authorized to certify to the Placement Agent that the information in the Preliminary Private Placement Memorandum with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Private Placement Memorandum.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the purchasers thereof at a price not less than 100% of the aggregate principal amount thereof, plus accrued interest, if any, and at a rate of interest determined as set forth in the Indenture. The use of a Final Private Placement Memorandum substantially the same form as the Preliminary Private Placement Memorandum approved herein is approved for use and distribution by the Placement Agent and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the

Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 774, 1995. The proposal is an inducement resolution for Crossing Partners, L.P., in an amount not to exceed \$7,700,000 to proceed with the acquisition, renovation and equipping of the existing 240 unit multi-family residential rental facility located at 4000 North Franklin Road (District 12). Councillor Borst moved, seconded by Councillor Tilford, for adoption. Proposal No. 774, 1995 was adopted on the following roll call vote; viz:

22 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West

0 NAYS:

5 NOT VOTING: Franklin, Hinkle, Jimison, Short, Williams

2 ABSENT: Moriarty Adams, Schneider

Proposal No. 774, 1995 was retitled SPECIAL RESOLUTION NO. 93, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 93, 1995

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, Crossing Partners L.P., an Indiana limited partnership (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, renovation and equipping of the existing two hundred forty (240) unit multi-family residential facility located at 4000 North Franklin Road, Indianapolis, Indiana on approximately 18 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (six (6) jobs) plus the creation of a construction job payroll and the creation of business opportunities to be achieved by the acquisition, renovation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended or any successor section thereof in connection with the Project and the Indiana Housing Finance Authority;

WHEREAS, the acquisition, renovation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer;
NOW, THEREFORE:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Seven Million Seven Hundred Thousand Dollars (\$7,700,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires June 30, 1996, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, renovation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (T 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. The City-County Council recognizes that the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 785, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on

November 10, 1995." The Council did not schedule Proposal No. 785, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 785, 1995 was retitled REZONING ORDINANCE NO. 177, 1995 and is identified as follows:

REZONING ORDINANCE NO. 177, 1995. 94-Z-91
8444 NORTH MICHIGAN ROAD (approximate address), INDIANAPOLIS.
LOWE'S HOME CENTERS, INC., by Thomas Michael Quinn, requests the rezoning of 1.092 acres, being in the C-1 District, to the C-S classification to provide for expansion of a hardware store previously approved by petition 93-Z-88A.

PROPOSAL NOS. 786-793, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on November 2, 1995." The Council did not schedule Proposal Nos. 786-793, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 786-793, 1995 were retitled REZONING ORDINANCE NOS. 178-185, 1995 and are identified as follows:

REZONING ORDINANCE NO. 178, 1995. 95-Z-85 (95-DP-4)
8611 NORTH HAVERSTICK ROAD (approximate address), INDIANAPOLIS.
WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 3.
PRINCE ALEXANDER ARCHITECTS, INC., by Michael D. Keele, requests the rezoning of 2.107 acres, being in the D-A District, to the D-P classification to provide for a multi-family residential planned unit development, consisting of 14 units in a total of 7 residential buildings.

REZONING ORDINANCE NO. 179, 1995. 95-Z-135
8610 CAMBY ROAD (approximate address), INDIANAPOLIS.
DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19.
CAMBY COMMUNITY CHURCH requests the rezoning of 2.21 acres, being in the D-3 District, to the SU-1 classification to provide for religious use.

REZONING ORDINANCE NO. 180, 1995. 95-Z-151
2558 EAST 55TH PLACE (approximate address), INDIANAPOLIS.
WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 7.
BERTO and ELIDE BERNARDON, by William F. LeMond, request the rezoning of 0.50 acre, being in the I-1-U District, to the I-2-U classification to provide for construction of a warehouse building in the rear of the property.

REZONING ORDINANCE NO. 181, 1995. 95-Z-152
9202 WEST WASHINGTON STREET (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19.
JACK KESLER, by Michael D. Keele, requests the rezoning of 0.84 acre, being in the C-3 District, to the C-7 classification to provide for mobile home sales and other permitted uses.

REZONING ORDINANCE NO. 182, 1995. 95-Z-154
10601 PENDLETON PIKE (approximate address), LAWRENCE.
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5.
MICHAEL A. RICE, D.D.S. and MARY K. RICE, by J. Murray Clark, requests the rezoning of 1.25 acres, being in the D-A District, to the C-4 classification to provide for commercial uses.

REZONING ORDINANCE NO. 183, 1995. 95-Z-169
8215 WEST WASHINGTON STREET (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18.
MERRILL ROBERTS, by Mitch Sever, requests the rezoning of 3.8 acres, being in the D-3 District, to the C-7 classification to provide for the placement of a commercial building and mini-warehousing.

REZONING ORDINANCE NO. 184, 1995. 95-Z-175
1007 WEST 30TH STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9.
DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 0.114 acre, being in the C-3 District, to the D-5 classification to provide for infill residential housing.

REZONING ORDINANCE NO. 185, 1995. 95-Z-177
1281 EAST TROY AVENUE (approximate address), INDIANAPOLIS.
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24.
DAWN M. BREEDLOVE requests the rezoning of 0.129 acre, being in the C-1 District, to the D-5 classification to provide for an existing single-family residence.

PROPOSAL NOS. 794-801, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on November 16, 1995." The Council did not schedule Proposal Nos. 794-801, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 794-801, 1995 were retitled REZONING ORDINANCE NOS. 186-193, 1995 and are identified as follows:

REZONING ORDINANCE NO. 186, 1995. 95-Z-145
402 NORTH HIGH SCHOOL ROAD (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18.
WAYNE TOWNSHIP, MARION COUNTY, INDIANA, requests the rezoning of 33.789 acres, being in the D-6II District, to the SU-9 classification to provide for fire training facilities.

REZONING ORDINANCE NO. 187, 1995. 95-Z-147
7216 HAGUE ROAD (approximate address), INDIANAPOLIS.
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 4.
C.P. MORGAN COMMUNITIES, L.P., by Brian J. Tuohy, requests the rezoning of 13.861 acres, being in the D-6II, PK-1, and SU-1 Districts, to the D-5II classification to provide for residential development.

REZONING ORDINANCE NO. 188, 1995. 95-Z-155
1337-1355 SOUTH MERIDIAN STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 25.
JAMES A. BRIGHTWELL, by Randal S. Anderson, requests the rezoning of 0.835 acre, being in the C-1, C-3 and D-8 Districts, to the C-4 classification to provide for off-street parking and limited other C-4 uses.

REZONING ORDINANCE NO. 189, 1995. 95-Z-163
5206 ROCKVILLE ROAD (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 17.
AMERITECH NEW MEDIA ENTERPRISES, INC., by John J. Riley, requests the rezoning of 13.63 acres, being in the D-A and C-5 Districts, to the SU-35 classification to provide for construction of a 100 by 148 foot equipment/administration building, 9 to 12 satellite dishes ranging from 12 to 15 feet in diameter and a 100 foot tall monopole antenna structure.

REZONING ORDINANCE NO. 190, 1995. 95-Z-181
6520 EAST 82ND STREET (approximate address), INDIANAPOLIS.
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 4.
EAST 82ND STREET ASSOCIATES, LIMITED PARTNERSHIP requests the rezoning of 1.36 acres, being in the C-1 District, to the C-3 classification to provide for retail and office uses.

REZONING ORDINANCE NO. 191, 1995. 95-Z-182
419 NORTH COLLEGE AVENUE (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22.
LUCIA M. SPEARS requests the rezoning of 0.06 acre, being in the I-3-U(RC) District, to the D-8(RC) classification to provide for the construction of a garage associated with the residential use.

REZONING ORDINANCE NO. 192, 1995. 95-Z-183
5728 SOUTH EMERSON AVENUE(rear) (approximate address), INDIANAPOLIS.
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24.
JOSEPH B. and MARY ANN HUSER, by Michael J. Kias, request the rezoning of 0.407 acre, being in the D-A District, to the D-3 classification to provide for single-family residential use.

REZONING ORDINANCE NO. 193, 1995. 95-Z-185
6021-6029 SOUTHEASTERN AVENUE (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13.

November 20, 1995

KEITH F. MARSH, by William F. LeMond, requests the rezoning of 0.937 acre, being in the D-A District, to the C-3 classification to provide for construction of a retail sales and service center.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 616, 1995. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal No. 616, 1995 on October 12, 1995. The proposal is an appropriation of \$72,000 for the Department of Parks and Recreation, Golf Division, to pay for security fencing around the perimeter of the Coffin Golf Course financed by revenues from the Park General/Golf Fund. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin stated that on October 30 this proposal was postponed in Council until this meeting at Councillor O'Dell's request. Councillor O'Dell stated that he wanted to determine that this was the best use of this money.

The President called for public testimony at 8:32 p.m. There being no one present to testify, Councillor Giffin moved, seconded by Councillor O'Dell, for adoption. Proposal No. 616, 1995 was adopted on the following roll call vote; viz:

23 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West

0 NAYS:

4 NOT VOTING: Beadling, Jimison, Short, Williams

2 ABSENT: Moriarty Adams, Schneider

Proposal No. 616, 1995 was retitled FISCAL ORDINANCE NO. 123, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 123, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Seventy-two Thousand Dollars (\$72,000) in the Park General / Golf Fund for purposes of the Department of Parks and Recreation, Golf Division and reducing the unappropriated and unencumbered balance in the Park General / Golf Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01. (o) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of The Department of Parks and Recreation to provide security fencing around the perimeter of the Coffin Golf Course.

SECTION 2. The sum of Seventy-two Thousand Dollars (\$72,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PARKS AND RECREATION GOLF DIVISION

4. Capital Outlay
TOTAL INCREASE

PARK GENERAL/GOLF FUND

72,000
72,000

SECTION 4. The said additional appropriation is funded by the following reductions:

PARK GENERAL/GOLF FUND

Unappropriated and Unencumbered
Park General/ Golf Fund
TOTAL REDUCTION

72,000
72,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Curry asked for consent to discuss Proposal Nos. 633, 634, 635, and 636, 1995 together and vote on them separately. Consent was given. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal Nos. 633, 634, 635, and 636, 1995 on November 14, 1995. PROPOSAL NO. 633, 1995. The proposal approves the issuance of Redevelopment District General Obligation Bonds not to exceed \$3,040,000. PROPOSAL NO. 634, 1995. The proposal approves the issuance of Flood Control District General Obligation Bonds not to exceed \$2,060,000. PROPOSAL NO. 635, 1995. The proposal approves the issuance of Sanitary District General Obligations Bonds not to exceed \$5,875,000. PROPOSAL NO. 636, 1995. The proposal approves the issuance of Sanitary District Refunding Bonds not to exceed \$33,500,000. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 8:40 p.m. There being no one present to testify, Councillor Curry moved, seconded by Councillor McClamroch, for adoption. Proposal No. 633, 1995 was adopted on the following roll call vote; viz:

19 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, McClamroch, Mullin, O'Dell, SerVaas, Shambaugh, Smith, Tilford
0 NAYS:
8 NOT VOTING: Beadling, Gray, Jimison, Jones, Rhodes, Short, West, Williams
2 ABSENT: Moriarty Adams, Schneider

Proposal No. 633, 1995 was retitled GENERAL RESOLUTION NO. 10, 1995, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 10, 1995

A GENERAL RESOLUTION approving the issuance of "City of Indianapolis, Indiana, Redevelopment District Bonds of 1995, Series A," in an original aggregate principal amount not to exceed Three Million Forty Thousand Dollars (\$3,040,000) and with an aggregate final maturity amount for any Capital Appreciation Bonds not to exceed Ten Million Four Hundred Ninety Thousand Dollars (\$10,490,000).

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), being the governing body of the Redevelopment District of the City of Indianapolis, Indiana (the "Redevelopment District"), intends to disburse funds to pay for the projects of property acquisition and redevelopment in certain blighted, economic development, urban renewal or other deteriorating or deteriorated areas in the Redevelopment District as specified in Exhibit A, attached hereto (the "Projects"); and

WHEREAS, on November 18, 1992, the Commission adopted a preliminary bond resolution (the "Preliminary Bond Resolution") authorizing the issuance of special taxing district bonds of the Redevelopment District to be issued in one or more series, in an original aggregate amount not to exceed Twenty-two Million Seven Hundred Ten Thousand Dollars (\$22,710,000) and with an aggregate final maturity amount for any Capital Appreciation Bonds not to exceed One Hundred Two Million One Hundred Ninety-five Thousand Dollars (\$102,195,000), for the purpose of procuring funds to apply to the costs of the Projects; and

WHEREAS, pursuant to a resolution adopted by the Commission on January 20, 1993, and a resolution adopted by the City-County Council on February 8, 1993, the City of Indianapolis, Indiana, Redevelopment District Bonds of 1993, Series A (the "1993 Bonds") were issued in the original aggregate principal amount of Nineteen Million Six Hundred Sixty-seven Thousand Seven Hundred Forty-three and 35/100 Dollars (\$19,667,743.35), all of which were Capital Appreciation Bonds with a final maturity amount of Forty-nine Million Eight Hundred Thirty Thousand Dollars (\$49,830,000), to finance a portion of the Projects; and

WHEREAS, on September 6, 1995, in accordance with the authorization provided in the Preliminary Bond Resolution, the Commission adopted a final bond resolution authorizing the issuance of special taxing district bonds of the Redevelopment District to be designated as "City of Indianapolis, Indiana, Redevelopment District Bonds of 1995, Series A," in the original aggregate principal amount not to exceed Three Million Forty Thousand Dollars (\$3,040,000), with an aggregate final maturity amount for any Capital Appreciation Bonds not to exceed Ten Million Four Hundred Ninety Thousand Dollars (\$10,490,000), for the purpose of procuring funds to apply to the costs of the Projects that were not paid for out of the proceeds of the 1993 Bonds; and

WHEREAS, the Commission has requested the approval of the City-County Council of the issuance of said special taxing district bonds pursuant to IC 36-3-5-8 and the City-County Council now finds that the issuance of said bonds should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council does hereby approve the issuance of special taxing district bonds of the Redevelopment District, to be designated as "City of Indianapolis, Indiana, Redevelopment District Bonds of 1995, Series A," in an original aggregate principal amount not to exceed Three Million Forty Thousand Dollars (\$3,040,000) and with an aggregate final maturity amount for any Capital Appreciation Bonds not to exceed Ten Million Four Hundred Ninety Thousand Dollars (\$10,490,000).

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

EXHIBIT A

THE METROPOLITAN DEVELOPMENT COMMISSION
ACTING AS THE REDEVELOPMENT COMMISSION
OF THE CITY OF INDIANAPOLIS, INDIANA

1. Installation of new streets, sewers, curbs and street lights in the Martindale-Brightwood neighborhood in Center Township;
2. Land acquisition and infrastructure improvements in the Haughville, Martindale and Brightwood neighborhoods in Center and Wayne Townships;
3. Acquisition of real estate and provision of economic development and housing sites and infrastructure in the Consolidated Redevelopment Project Area or other redevelopment or economic development areas designated or to be designated within the Redevelopment District, including but not limited to areas along the Interstate 70 corridor;
4. Infrastructure improvements in the area bounded by Fall Creek Parkway, Park Avenue, New Jersey Street and 23rd Street in Center Township;
5. Upgrading of the infrastructure and providing of additional services to increase affordable and safe housing in the Haughville neighborhood in Center and Wayne Townships;
6. Testing and mitigation of contamination and rehabilitation of existing homes in the area of 1701 - 1799 Perkins Avenue in Center Township;

together with the expenses in connection with or on account of the issuance of bonds therefor.

Proposal No. 634, 1995 was adopted on the following roll call vote; viz:

18 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, McClamroch, O'Dell, SerVaas, Shambaugh, Smith, Tilford, West

0 NAYS:

9 NOT VOTING: Beadling, Golc, Gray, Jimison, Jones, Mullin, Rhodes, Short, Williams

2 ABSENT: Moriarty Adams, Schneider

Proposal No. 634, 1995 was retitled GENERAL RESOLUTION NO. 11, 1995, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 11, 1995

A GENERAL RESOLUTION approving the issuance of "City of Indianapolis, Indiana, Flood Control District Bonds of 1995, Series A," in an original aggregate principal amount not to exceed Two Million Sixty Thousand Dollars (\$2,060,000) and with an aggregate final maturity amount for any Capital Appreciation Bonds not to exceed Seven Million One Hundred Five Thousand Dollars (\$7,105,000).

WHEREAS, on November 2, 1992, the Board of Public Works of the City of Indianapolis, Indiana (the "Board"), being the governing body of the Flood Control District of the City of Indianapolis, Indiana (the "Flood Control District"), adopted a Declaratory Resolution declaring that it is necessary for the general welfare, safety and security of the Flood Control District and will be of public utility and benefit to undertake the projects specified in Exhibit A, attached hereto (the "Projects"), at an estimated total cost not to exceed Thirty-eight Million Six Hundred Eighty Thousand Dollars (\$38,680,000), including all expenses necessary and incidental thereto and including all expenses in connection with or on account of issuance of bonds therefor; and

WHEREAS, on November 16, 1992, after notice and a public hearing thereon, the Board confirmed the Declaratory Resolution by the adoption of a Confirmatory Resolution; and

WHEREAS, on November 16, 1992, the Board adopted a preliminary bond resolution (the "Preliminary Bond Resolution") authorizing the issuance of special taxing district bonds of the Flood Control District to be issued in one or more series, in an original aggregate amount not to exceed Thirty-eight Million Six Hundred Eighty Thousand Dollars (\$38,680,000) and with an aggregate final maturity amount for any Capital Appreciation Bonds not to exceed One Hundred Seventy-four Million Sixty Thousand Dollars (\$174,060,000), for the purpose of procuring funds to apply to the costs of the Projects; and

WHEREAS, pursuant to a resolution adopted by the Board on January 19, 1993, and a resolution adopted by the City-County Council on February 8, 1993, the City of Indianapolis, Indiana, Flood Control District Bonds of 1993, Series A (the "1993 Bonds") were issued in the original aggregate principal amount of Eleven Million Nine Hundred Forty Thousand Dollars (\$11,940,000); and

WHEREAS, on September 5, 1995, in accordance with the authorization provided in the Preliminary Bond Resolution, the Board adopted a final bond resolution authorizing the issuance of special taxing district bonds of the Flood Control District to be designated as "City of Indianapolis, Indiana, Flood Control District Bonds of 1995, Series A," in the original aggregate principal not to exceed Two Million Sixty Thousand Dollars (\$2,060,000), with an aggregate final maturity amount for any Capital Appreciation Bonds not to exceed Seven Million One Hundred Five Thousand Dollars (\$7,105,000), for the purpose of procuring funds to apply to the costs of the Projects that were not paid for out of the proceeds of the 1993 Bonds; and

WHEREAS, the Board has requested the approval of the City-County Council of the issuance of said special taxing district bonds pursuant to IC 36-3-5-8 and the City-County Council now finds that the issuance of said bonds should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council does hereby approve the issuance of special taxing district bonds of the Flood Control District, to be designated as "City of Indianapolis, Indiana, Flood Control District Bonds of 1995, Series A," in an original aggregate principal amount not to exceed Two Million Sixty Thousand Dollars (\$2,060,000) and with an aggregate final maturity amount for any Capital Appreciation Bonds not to exceed Seven Million One Hundred Five Thousand Dollars (\$7,105,000).

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

EXHIBIT A

THE BOARD OF PUBLIC WORKS OF
THE CITY OF INDIANAPOLIS, INDIANA
(Flood Control District)

1. Channel Improvements to Provide Drainage and Flood Control Improvements at the Following Locations:
 - A. Crooked Creek from 3800 to 9600 Michigan Road in Washington and Pike Townships;
 - B. Lick Creek from 10th Street to I-70 in Warren Township;
 - C. Howard Johnson Ditch from 7200 to 8200 Ditch Road in Washington Township;
 - D. Williams Creek Cutoff from 6800 North to 7300 North Westfield Boulevard in Washington Township;
 - E. Buffalo Creek from Shelby Street to Meridian Street in Perry Township;
 - F. Churchman Legal Drain from Emerson Avenue to Arlington Avenue in Perry Township;
 - G. Little Buck Creek from White River to I-65 in Perry Township;
 - H. Guion Creek (3800 North to 5600 North) in Pike Township;
 - I. Pogues Run from Arlington Avenue to I-465 in Lawrence Township;
 - J. Topp Creek and Farley Creek at 10th Street and Girls School Road in Wayne Township; and
 - K. Pleasant Run Parkway South from Sherman Drive to South County Line Road in Perry Township;
2. Reconstruction of the Channel in Eagle Creek at Raymond Street to 21st Street in Wayne Township;
3. Improvements to Drainage System and Channel of Eagle Creek/Neeld Ditch from 500 South Mickley Avenue to Eagle Creek in Wayne Township;
4. Improvements to Channel and Stabilization of Bank at the Following Locations:
 - A. Williams Creek from Springmill Road to Meridian Street in Washington Township; and
 - B. Holly Creek in the area of College Avenue at College Lane (8200 North) in Washington Township;
5. Rehabilitation and Renovation of Levee at the Following Locations:
 - A. Warfleigh Levee at White River from College Avenue to 58th Street in Washington Township; and
 - B. Rocky Ripple Levee at White River (4500 North to 5500 North) in Washington Township;
6. Improvements to Drainage Facilities for Watershed Master Plan throughout the Flood Control District;
7. Phase II Channel and Levee Improvements to the Grassy Creek Channel from 21st Street to Washington Street in Warren Township;
8. Construction of Flood Control Measures to Provide Drainage and Flood Control Improvements at the Following Locations:
 - A. Five Points Road and Troy Avenue in Franklin Township;
 - B. Southeastern Avenue, Sloan Avenue, Calhoun Street and Temperance Avenue in Center Township;
 - C. New Augusta Road at 71st Street and Georgetown Road in Pike Township; and
 - D. 39th Street and Irvington Avenue in Lawrence Township; and
9. Improvements to Storm Sewer and Channel of Eagle Creek/Mickley Run at I-465 and Lynhurst Drive in Wayne Township;

together with the expenses in connection with or on account of the issuance of bonds therefor.

Proposal No. 635, 1995 was adopted on the following roll call vote; viz:

20 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, McClamroch, Mullin, O'Dell, SerVaas, Shambaugh, Smith, Tilford, West

0 NAYS:

7 NOT VOTING: *Beadling, Gray, Jimison, Jones, Rhodes, Short, Williams*

2 ABSENT: *Moriarty Adams, Schneider*

Proposal No. 635, 1995 was retitled GENERAL RESOLUTION NO. 12, 1995, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 12, 1995

A GENERAL RESOLUTION approving the issuance of "City of Indianapolis, Indiana, Sanitary District Bonds of 1995, Series A," in an original aggregate principal amount not to exceed Five Million Eight Hundred Seventy-five Thousand Dollars (\$5,875,000) and with an aggregate final maturity amount for any Capital Appreciation Bonds not to exceed Twenty Million Two Hundred Sixty Thousand Dollars (\$20,260,000).

WHEREAS, on November 2, 1992, the Board of Public Works of the City of Indianapolis, Indiana (the "Board"), being the governing body of the Sanitary District of the City of Indianapolis, Indiana (the "Sanitary District"), adopted the Declaratory Resolution declaring that it is necessary for the public health and welfare of the persons residing within the Sanitary District, and will be of public utility and benefit to undertake the projects specified in Exhibit A, attached hereto (the "Projects"), at an estimated total cost not to exceed One Hundred Twenty-four Million Two Hundred Thousand Dollars (\$124,200,000), including all expenses necessary and incidental thereto and including all expenses in connection with or on account of the issuance of bonds therefor; and

WHEREAS, on November 16, 1992, after notice and a public hearing thereon, the Board confirmed the Declaratory Resolution by the adoption of a Confirmatory Resolution; and

WHEREAS, on November 16, 1992, the Board adopted a preliminary bond resolution (the "Preliminary Bond Resolution") authorizing the issuance of special taxing district bonds of the Sanitary District to be issued in one or more series, in an original aggregate amount not to exceed One Hundred Twenty-four Million Two Hundred Thousand Dollars (\$124,200,000) and with an aggregate final maturity amount for any Capital Appreciation Bonds not to exceed Five Hundred Forty-nine Million Nine Hundred Thousand Dollars (\$549,900,000), for the purpose of procuring funds to apply to the costs of the Projects; and

WHEREAS, pursuant to a resolution adopted by the Board on January 19, 1993, and a resolution adopted by the City-County Council on February 8, 1993, the City of Indianapolis, Indiana, Sanitary District Bonds of 1993, Series A (the "1993 Bonds") were issued in an original aggregate principal amount of Sixty-four Million One Hundred Twenty-five Thousand Dollars (\$64,125,000), to finance a portion of the Projects; and

WHEREAS, on September 5, 1995, in accordance with the authorization provided in the Preliminary Bond Resolution, the Board adopted a final bond resolution authorizing the issuance of special taxing district bonds of the Sanitary District to be designated as "City of Indianapolis, Indiana, Sanitary District Bonds of 1995, Series A," in the original aggregate principal amount not to exceed Five Million Eight Hundred Seventy-five Thousand Dollars (\$5,875,000), with an aggregate final maturity amount for any Capital Appreciation Bonds not to exceed Twenty Million Two Hundred Sixty Thousand Dollars (\$20,260,000), for the purpose of procuring funds to apply to the costs of the Projects that were not paid for out of the proceeds of the 1993 Bonds; and

WHEREAS, the Board has requested the approval of the City-County Council of the issuance of said special taxing district bonds pursuant to IC 36-3-5-8 and the City-County Council now finds that the issuance of said bonds should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council does hereby approve the issuance of special taxing district bonds of the Sanitary District, to be designated as "City of Indianapolis, Indiana, Sanitary District Bonds of 1995, Series A," in an original aggregate principal amount not to exceed Five Million Eight Hundred Seventy-five Thousand Dollars (\$5,875,000) and with an aggregate final maturity amount for any Capital Appreciation Bonds not to exceed Twenty Million Two Hundred Sixty Thousand Dollars (\$20,260,000).

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

EXHIBIT A

THE BOARD OF PUBLIC WORKS
OF THE CITY OF INDIANAPOLIS, INDIANA
(Sanitary District)

1. Sanitary and Flood Improvements to Reduce Flooding and Sewer Problems in the Following Locations:
 - A. Fountain Square Neighborhood;
 - B. Haughville Neighborhood;
 - C. Martindale-Brightwood Neighborhood;
 - D. UNWA-Riverside Neighborhood;
 - E. Near Eastside Neighborhood; and
 - F. Near Northside Neighborhood;
2. 2700 South Belmont Avenue Facility in Center Township:
 - A. Renovate and make structural repairs to buildings at the facility;
 - B. Rehabilitate the White River Levee (Phase 3);
 - C. Study sludge disposal options due to facility reaching incineration capacity;
 - D. Install sludge cake pumps and replace conveyors to reduce maintenance at the facility;
 - E. Install new ventilation system at the facility;
 - F. Make roof repairs to various buildings at the facility;
 - G. Renovate ash lagoons A, B and C for on-site disposal at the facility;
 - H. Dispose of sludge from the lagoons allowing on-site ash disposal at the facility;
 - I. Install hydrocarbon and opacity meters to improve incinerator operation and decrease amount of air pollution at the facility;
 - J. Install scrubbers for air compressors at the facility;
 - K. Replace and renovate air compressors at the facility;
 - L. Replace electrical substation at the facility;
 - M. Install sprinkler systems in various buildings at the facility;
 - N. Replace and renovate the HVAC system at the facility;
 - O. Make road repairs and improvements at the facility;
 - P. Replace belt filter presses at the facility;
 - Q. Replace ozone generators as an alternative disinfection system at the facility;
 - R. Construct sludge incinerator ash monofill for long-term ash storage at the facility;
 - S. Install scrubbers for incinerators at the facility;
 - T. Close ash filled activator at the facility;
 - U. Install generators as an alternative standby electrical energy source;
 - V. Replace main control system for the wastewater treatment plant; and
 - W. Replace screw pumps at the facility;
3. 3800 West Southport Road in Perry Township:
 - A. Renovate and make structural repairs to buildings at the facility;
 - B. Make roof repairs to various buildings at the facility;
 - C. Dispose of sludge from lagoons allowing on-site ash disposal at the facility;
 - D. Install scrubbers for air compressors at the facility;
 - E. Replace and renovate air compressors at the facility;
 - F. Replace and renovate the HVAC at the raw pump building at the facility;
 - G. Replace and renovate the switch gear and transformers at the facility;
 - H. Make improvements to oil storage area to meet fire code requirements;
 - I. Rehabilitate and renovate the grit removal system at the facility;
 - J. Install closed loop cooling system;
 - K. Make road repairs and improvements at the facility;
 - L. Replace ozone generators as an alternative disinfection system at the facility;
 - M. Replace engine in the final pump station at the facility;
 - N. Make improvements to the overflow system of the effluent filter building at the facility;
 - O. Replace screw pumps at the facility; and
 - P. Install generators as an alternative standby electrical energy source;

4. Assessment and Rehabilitation of Sewer Systems at Various Locations within the Sanitary District, including but not limited to projects at the Following Locations:
 - A. The Bridgeport Interceptor Basin;
 - B. The South Marion County Regional Interceptor System;
 - C. The East Marion County Regional Interceptor System;
 - D. The Pleasant Run Interceptor System;
 - E. The Williams Creek Interceptor System; and
 - F. The Lick Creek Interceptor System;
5. Assessment of Downtown Sewer System in Center Township;
6. Make Improvements to the Facility Located at 6380 Evanston Avenue in Washington Township to Eliminate Offensive Odors;
7. Assessment and Determinate of Lifecycle Needs of Major Pump Stations throughout the Sanitary District;
8. Cleaning, Rehabilitation and Renovation of the Sewer Facilities and Systems throughout the Sanitary District, including but not limited to, the Facilities and Systems at the Following Locations:
 - A. Harding Street from 10th Street to White River in Center Township;
 - B. 9200 East 10th Street in Warren Township;
 - C. Belmont North Interceptor System;
 - D. Beachway Drive from Mickley Avenue to Rockville Road and I-465 in Wayne Township;
 - E. College Avenue (700 East and 900 North) in Center Township;
 - F. Massachusetts Avenue (300 East and 300 North) in Center Township;
 - G. Arsenal Avenue and 16th Street in Center Township;
 - H. East Street and Louisiana Street in Center Township;
 - I. Pearl Street and Missouri Street in Center Township;
 - J. 15th Street (Northwest of Illinois Street) in Center Township;
 - K. Vermont Street and Hanson Street in Center Township;
 - L. College Avenue (700 East and 400 North) in Center Township;
 - M. Merrill Street and Capitol Avenue in Center Township;
 - N. Lexington Avenue and Grove Avenue in Center Township;
 - O. Home Place and Merrill Street in Center Township;
 - P. New Jersey Street (400 East and 500 North) in Center Township;
 - Q. North Park Avenue (600 East and 1300 North) in Center Township;
 - R. Fulton Avenue (800 East and 500 North) in Center Township;
 - S. Gateway and Eagle Dale Neighborhoods at 38th Street and High School Road in Pike and Wayne Townships;
 - T. Nora Area in Washington Township;
 - U. Castleton Area in Lawrence Township;
 - V. North Brook Street Project in Center Township;
 - W. South College Avenue (700 East and 0 South) in Center Township;
 - X. Shelby Street (1000 East and 900 South) in Center Township;
 - Y. North Agnes Street between Vermont Street and New York Street in Center Township;
 - Z. Lexington Avenue at College Avenue in Center Township;
 - AA. Brooks Street between 14th Street and 16th Street in Center Township;
 - BB. New Jersey Street and St. Clair Street in Center Township;
 - CC. Shelby Street and English Avenue in Center Township;
 - DD. North Central Avenue (1100 North to 1600 North) in Center Township;
 - EE. Maryland Street and Virginia Avenue (200 East and 100 South) in Center Township;
 - FF. Walnut Street and West Street in Center Township;
 - GG. Central Avenue and 13th Street in Center Township;
 - HH. Alley South of 9th Street and East of California Street in Center Township;
 - II. Delaware Street (200 East and 600 North) in Center Township;
 - JJ. Alley North of North Street and Northeast of California Street in Center Township;
 - KK. Vermont Street at Hanson Drive (IUPUI) in Center Township;
 - LL. Ludlow Avenue (East of Columbia Project) in Center Township;
 - MM. South Kentucky Avenue Project in Center Township;
 - NN. Delaware Street and Walnut Street in Center Township;

- OO. Indiana Avenue and 10th Street in Center Township;
 - PP. Senate Avenue from Ohio Street to Sinclair Street in Center Township;
 - QQ. Arsenal Avenue (East of Columbia Avenue) in Center Township;
 - RR. Ohio Street and Alabama Street in Center Township;
 - SS. New Jersey Street and St. Clair Street in Center Township;
 - TT. South Brooks Street between 9th Street and 10th Street in Center Township;
 - UU. Alley on McCarty Street (350 West and 900 South) in Center Township;
 - VV. North College Avenue (1300 North to 1600 North) in Center Township;
 - WW. Fulton Street between North Street and Walnut Street in Center Township;
 - XX. Morris Street between Senate Avenue and Capital Avenue in Center Township;
 - YY. Alley North of 9th Street and West of California Street in Center Township;
 - ZZ. Fulton Street between Walnut Street and St. Clair Avenue in Center Township;
 - AAA. College Avenue and Washington Street in Center Township;
 - BBB. Maryland Avenue and Alabama Street in Center Township;
 - CCC. Washington Street between East Street and College Avenue in Center Township;
 - DDD. Massachusetts Avenue and Vermont Street in Center Township;
 - EEE. California Street and Michigan Street in Center Township;
 - FFF. Mars Hill Neighborhood at S.R. 67, Mann Road and Mooresville Road in Decatur Township;
 - GGG. 38th Street, Post Road, Massachusetts Avenue and 46th Street in Lawrence Township; and
 - HHH. Central Avenue from 38th Street North to 45th Street in Washington Township;
- 9. Assessment and Determination of Lifecycle Needs of Lift Stations throughout the Sanitary District;
 - 10. Control of Corrosion and Renovation of Lift Station Facility located at 8638 Log Run South Drive in Pike Township;
 - 11. Control of Corrosion and Vibration, and Improvements and Renovate to the Lift Station Facility located at 5220 Stanley Road in Decatur Township;
 - 12. Rehabilitation of Storm Water Lift Station located at 1400 Waterway Boulevard in Center Township;
 - 13. Installation of Sewer Extension in the Area of I-465 to Keystone Avenue and Dean Road to 79th Street in Washington Township;
 - 14. Rehabilitation of the Lift Station and the Force Main at the Facility Located at 3921 North Sherman Drive in Washington Township;
 - 15. Improvements to Storm Sewer Drainage to Provide Drainage and Flood Control at the Following Locations:
 - A. Lick Creek in the area bounded by National Avenue, Aurora Street, Hanna Avenue and State Street in Perry Township;
 - B. Grassy Creek at Post Road, Rawles Avenue, Bonna Avenue and Fenton Avenue in Warren Township;
 - C. Crooked Creek at 62nd Street and Cooper Road in Pike Township; and
 - D. White River at 62nd Street, Kessler Avenue, Parker Avenue and Chester Avenue in Washington Township;
 - 16. Assessment and Rehabilitation of the 30th Street Storm Tunnel from Fall Creek Boulevard to Sherman Drive in Center and Washington Townships;
 - 17. Regional Drainage and Flood Control Improvements to Reduce Flooding in the Harding Street Area from I-465 to Hanna Avenue in Perry Township;
 - 18. Rehabilitation and Renovation of the Combined Sewer Overflow Outfalls and Sewers Effecting all Townships within the Sanitary District;
 - 19. Rehabilitation and Renovation of the Lift Station Facility at 8640 Allisonville Road in Washington Township;
 - 20. Separation and Renovation of the Sewer System in the Area of U.S. 31 and Sumner Avenue in Perry Township;

21. Assessment and Determination of Lifecycle Needs of Major Storm Pump Stations throughout the Sanitary District;
 22. Improvements for the Flood Control Project at 602 East 91st Street in Washington Township;
 23. Rehabilitation and Upgrading of Lift Stations throughout the Sanitary District;
 24. Relocation of Force Main to 8503 Lockwood Lane in Perry Township;
 25. Evaluation and Rehabilitation of Siphon Structure at the Following Locations:
 - A. Pleasant Run Parkway and East Street in Center Township;
 - B. 21st Street and Northwestern Avenue in Center Township;
 - C. 2200 East Thompson Road in Perry Township;
 - D. Harding Street and White River in Center Township;
 - E. 46th Street and Fall Creek Parkway in Washington Township;
 - F. West Street and White River in Center Township;
 - G. 34th Street and Fall Creek Parkway in Center Township;
 - H. West Street and D.O.T. in Center Township;
 - I. 71st Street and Westfield Boulevard in Washington Township;
 - J. 71st Street and College Avenue in Washington Township;
 - K. Michigan Road and White River in Washington Township;
 - L. 38th Street and Fall Creek Parkway in Center and Washington Townships;
 - M. Pleasant Run Parkway and Southern Avenue in Center Township;
 - N. Central Avenue and White River in Washington Township;
 - O. Eli Lilly & Company facility on Southern Avenue in Center Township;
 - P. 1100 feet South of Thompson Road in Decatur Township;
 - Q. Butler Avenue and White River in Washington Township; and
 - R. 10th Street and White River in Center Township; and
 26. Installation of Six (6) New Siphons at Other Various Locations within the Sanitary District;
- together with the expenses in connection with or on account of the issuance of bonds therefor.

Proposal No. 636, 1995 was adopted on the following roll call vote; viz:

20 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, McClamroch, Mullin, O'Dell, SerVaas, Shambaugh, Smith, Tilford, West
0 NAYS:
7 NOT VOTING: Beadling, Gray, Jimison, Jones, Rhodes, Short, Williams
2 ABSENT: Moriarty Adams, Schneider

Proposal No. 636, 1995 was retitled GENERAL RESOLUTION NO. 13, 1995, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 13, 1995

A GENERAL RESOLUTION approving the issuance of "City of Indianapolis, Indiana, Sanitary District Refunding Bonds of 1995, Series A," in an original aggregate principal amount not to exceed Thirty-three Million Five Hundred Thousand Dollars (\$33,500,000).

WHEREAS, the Board of Public Works of the City of Indianapolis, Indiana (the "Board"), being the governing body of the Sanitary District of the City of Indianapolis, Indiana (the "Sanitary District"), has previously issued the City of Indianapolis Sanitary District Bonds of 1986, dated as of August 1, 1986, in the original aggregate principal amount of Fifty-seven Million Dollars (\$57,000,000) (the "1986 Bonds"); and

WHEREAS, the 1986 Bonds are currently outstanding in the aggregate principal amount of Thirty-four Million Six Hundred Seventy-five Thousand Dollars (\$34,675,000) (the "Outstanding 1986 Bonds"); and

November 20, 1995

WHEREAS, the Board now desires to refund all of the Outstanding 1986 Bonds maturing on and after January 1, 1997, in the aggregate principal amount of Thirty Million Seven Hundred Seventy-five Thousand Dollars (\$30,775,000) (the "Refunded Bonds") as authorized by IC 5-1-5, and thereby obtain a substantial savings and reduction in interest costs; and

WHEREAS, on September 5, 1995, the Board adopted a final bond resolution authorizing the issuance of special taxing district bonds of the Sanitary District to be designated as "City of Indianapolis, Indiana, Sanitary District Refunding Bonds of 1995, Series A" in the total principal amount not to exceed Thirty-three Million Five Hundred Thousand Dollars (\$33,500,000) the "Bonds"), for the purpose of providing funds for the payment of (i) the principal amount of the Refunded Bonds, (ii) the interest payable on the Refunded Bonds, due from July 1, 1995, (iii) the redemption premium which will be payable on January 1, 1996, and (iv) the costs of refunding the Refunded Bonds.

WHEREAS, the Board has requested the approval of the City-County Council of the issuance of said special taxing district refunding bonds pursuant to IC 36-3-5-8 and the City-County Council now finds that the issuance of said bonds should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council does hereby approve the issuance of special taxing district bonds of the Sanitary District to be designated as "City of Indianapolis, Indiana, Sanitary District Refunding Bonds of 1995, Series A," in an original aggregate principal amount not to exceed Thirty-three Million Five Hundred Thousand Dollars (\$33,500,000).

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 673, 1995. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 673, 1995 on November 14, 1995. The proposal, sponsored by Councillor Dowden, is an appropriation of \$6,209,223 for the County Auditor to pay the County's obligation to the Indiana Boys School financed from the County General Fund balances. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:44 p.m. There being no one present to testify, Councillor Curry moved, seconded by Councillor Dowden, for adoption. Proposal No. 673, 1995 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West*

0 NAYS:

4 NOT VOTING: *Gray, Jimison, Short, Williams*

2 ABSENT: *Moriarty Adams, Schneider*

Proposal No. 673, 1995 was retitled FISCAL ORDINANCE NO. 124, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 124, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Six Million Two Hundred Nine Thousand Two Hundred Twenty-three Dollars (\$6,209,223) in the County General Fund for purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor to fund the county's obligation to the Indiana Boys School.

SECTION 2. The sum of Six Million Two Hundred Nine Thousand Two Hundred Twenty-three Dollars (\$6,209,223) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>6,209,223</u>
TOTAL INCREASE	6,209,223

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>6,209,223</u>
TOTAL REDUCTION	6,209,223

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Dowden asked for consent to discuss and vote on Proposal Nos. 676, 682, and 723, 1995 together. Consent was given. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 676, 682, and 723, 1995 on November 8 1995. PROPOSAL NO. 676, 1995. The proposal is an appropriation of \$20,357 for the Prosecuting Attorney to purchase audio/visual equipment to be used in child abuse cases financed by a state grant. PROPOSAL NO. 682, 1995. The proposal is an appropriation of \$350,259 for the Community Corrections Agency to pay for home detention personnel, equipment, and supply expenses financed by revenues from the Home Detention User Fee Fund. PROPOSAL NO. 723, 1995. The proposal is an appropriation of \$128,134 for the Prosecuting Attorney to continue the Victim Advocate Project financed by state and federal grants. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 8:49 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal Nos. 676, 682, and 723, 1995 were adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West*

0 NAYS:

2 NOT VOTING: *Short, Williams*

2 ABSENT: *Moriarty Adams, Schneider*

Proposal No. 676, 1995 was retitled FISCAL ORDINANCE NO. 125, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 125, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Twenty Thousand Three Hundred Fifty-seven Dollars

(\$20,357) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(w) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney for audio/visual equipment to train personnel in interviewing and evidence gathering techniques to obtain statements and testimony from child victims to minimize trauma.

SECTION 2. The sum of Twenty Thousand Three Hundred Fifty-seven Dollars (\$20,357) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

PROSECUTING ATTORNEY

STATE AND FEDERAL GRANTS FUND

4. Capital Outlay	<u>20,357</u>
TOTAL INCREASE	20,357

SECTION 4. The said additional appropriation is funded by the following reductions:

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
State and Federal Grants	<u>20,357</u>
TOTAL REDUCTION	20,357

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 682, 1995 was retitled FISCAL ORDINANCE NO. 126, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 126, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Three Hundred Fifty Thousand Two Hundred Fifty-nine Dollars (\$350,259) in the Home Detention User Fee Fund for purposes of the Community Corrections agency and County Auditor and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (aa) and (b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Community Corrections Agency and the County Auditor for 95/96 Home Detention positions, home detention equipment and office supplies.

SECTION 2. The sum of Three Hundred Fifty Thousand Two Hundred Fifty-nine Dollars (\$350,259) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS AGENCY</u>	<u>HOME DETENTION USER FEE FUND</u>
1. Personal Services	144,306
2. Supplies	16,000
3. Other Services and Charges	66,444
4. Capital Outlay	85,531
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>37,978</u>
TOTAL INCREASE	350,259

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	<u>350,259</u>
TOTAL REDUCTION	350,259

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 723, 1995 was retitled FISCAL ORDINANCE NO. 127, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 127, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional One Hundred Twenty-eight Thousand One Hundred Thirty-four Dollars (\$128,134) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (w) and (b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney and County Auditor for a continuation of a grants to fund six victim advocates to work in the courts.

SECTION 2. The sum of One Hundred Twenty-eight Thousand One Hundred Thirty-four Dollars (\$128,134) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	102,507
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>25,627</u>
TOTAL INCREASE	128,134

SECTION 4. The said additional appropriation is funded by the following reductions:

November 20, 1995

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered
State and Federal Grants Fund
TOTAL REDUCTION

128,134
128,134

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 104, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 104, 1995 on November 15, 1995. The proposal amends Secs. 23-64 and 23-65 of the Code concerning salary limits for county employees. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Rhodes moved, seconded by Councillor Shambaugh, to strike. Proposal No. 104, 1995 was stricken by unanimous voice vote.

PROPOSAL NO. 407, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 407, 1995 on November 13, 1995. The proposal, sponsored by Councillor SerVaas, consents to the incorporation of the Town of North Madison, Indiana. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it be denied. Proposal No. 407, 1995 was rejected on the following roll call vote; viz:

1 YEA: Mullin

25 NAYS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West, Williams

1 NOT VOTING: Short

2 ABSENT: Moriarty Adams, Schneider

PROPOSAL NO. 719, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 719, 1995 on November 15, 1995. The proposal is an appropriation of \$100,000 for the Department of Administration, Real Estate Division, for city-owned property management and maintenance financed by a transfer within the division's Consolidated County Fund. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 719, 1995 was adopted on the following roll call vote; viz:

21 YEAS: Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West, Williams

2 NAYS: Gilmer, Gray

4 NOT VOTING: Beadling, Coughenour, Golc, Short

2 ABSENT: Moriarty Adams, Schneider

Proposal No. 719, 1995 was retitled FISCAL ORDINANCE NO. 128, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 128, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional One Hundred Thousand Dollars

(\$100,000) in the Consolidated County Fund for purposes of the Department of Administration, Real Estate Division and reducing certain other appropriations for that Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Administration, Real Estate Division for property management and maintenance on city owned property.

SECTION 2. The sum of One Hundred Thousand Dollars (\$100,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF ADMINISTRATION</u>	<u>CONSOLIDATED COUNTY FUND</u>
<u>REAL ESTATE DIVISION</u>	
3. Other Services and Charges	<u>100,000</u>
TOTAL INCREASE	100,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF ADMINISTRATION</u>	<u>CONSOLIDATED COUNTY FUND</u>
<u>REAL ESTATE DIVISION</u>	
1. Personal Services	<u>100,000</u>
TOTAL REDUCTION	100,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 720, 1995. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 720, 1995 on November 9, 1995. The proposal is an appropriation of \$34,302 for the Office of Youth and Family Services to provide neighborhood-based primary health care services financed by a transfer within the agency's Consolidated County Fund. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor O'Dell moved, seconded by Councillor West, for adoption. Proposal No. 720, 1995 was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West, Williams*

0 NAYS:

3 NOT VOTING: *Golc, Gray, Short*

2 ABSENT: *Moriarty Adams, Schneider*

Proposal No. 720, 1995 was retitled FISCAL ORDINANCE NO. 129, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 129, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Thirty-four Thousand Three Hundred Two Dollars (\$34,302) in the Consolidated County Fund for purposes of the Office of Youth and Family Services and reducing certain other appropriations for that Office.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

November 20, 1995

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (i) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Office of Youth and Family Services to provide additional CDBG funds to Third-party contracts.

SECTION 2. The sum of Thirty-four Thousand Three Hundred Two Dollars (\$34,302) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>OFFICE OF YOUTH AND FAMILY SERVICES</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	<u>34,302</u>
TOTAL INCREASE	34,302

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>OFFICE OF YOUTH AND FAMILY SERVICES</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	<u>34,302</u>
TOTAL REDUCTION	34,302

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 721, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 721, 1995 on November 13, 1995. The proposal is an appropriation of \$138,345 for the Department of Metropolitan Development, Divisions of Planning and Neighborhood and Development Services, to purchase computers, financed by transfers within the divisions' Metropolitan Development General Fund. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Gilmer, for adoption. Proposal No. 721, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West, Williams*

0 NAYS:

1 NOT VOTING: *Short*

2 ABSENT: *Moriarty Adams, Schneider*

Proposal No. 721, 1995 was retitled FISCAL ORDINANCE NO. 130, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 130, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional One Hundred Thirty-eight Thousand Three Hundred Forty-five Dollars (\$138,345) in the Metropolitan Development General Fund for purposes of the Department of Metropolitan Development, Divisions of Planning and Neighborhood and Development Services and reducing certain other appropriations for that department

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (k) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of The Department of Metropolitan Development, Planning Division and Neighborhood Services Division to upgrade personal computers and replace inspector vehicles.

SECTION 2. The sum of One Hundred Thirty-eight Thousand Three Hundred Forty-five Dollars (\$138,345) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>METROPOLITAN DEVELOPMENT</u>
<u>PLANNING DIVISION</u>	<u>GENERAL FUND</u>
4. Capital Outlay	27,831
INCREASE	27,831
<u>NEIGHBORHOOD AND DEVELOPMENT</u>	<u>METROPOLITAN DEVELOPMENT</u>
<u>SERVICE DIVISION</u>	<u>GENERAL FUND</u>
4. Capital Outlay	110,514
INCREASE	110,514
TOTAL INCREASE	138,345

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>METROPOLITAN DEVELOPMENT</u>
<u>PLANNING DIVISION</u>	<u>GENERAL FUND</u>
3. Other Services and Charges	27,831
REDUCTION	27,831
<u>NEIGHBORHOOD AND DEVELOPMENT</u>	<u>METROPOLITAN DEVELOPMENT</u>
<u>SERVICE DIVISION</u>	<u>GENERAL FUND</u>
3. Other Services and Charges	110,514
REDUCTION	110,514
TOTAL REDUCTION	138,345

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 722, 1995. Councillor Giffin stated that he was not able to attend the Parks meeting and Councillor Rhodes would present the Committee report. Councillor Rhodes reported that the Parks and Recreation Committee heard Proposal No. 722, 1995 on November 16, 1995. The proposal reduces \$625,000 from the Department of Parks and Recreation's Park General Fund as part of the financing for the 1996 annual budget. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Giffin, for adoption. Proposal No. 722, 1995 was adopted on the following roll call vote; viz:

22 YEAS: *Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West, Williams*

0 NAYS:

5 NOT VOTING: *Beadling, Black, Gilmer, Mullin, Short*

2 ABSENT: *Moriarty Adams, Schneider*

Proposal No. 722, 1995 was retitled FISCAL ORDINANCE NO. 131, 1995, and reads as follows:

November 20, 1995

CITY-COUNTY FISCAL ORDINANCE NO. 131, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) by reduction appropriation by Six Hundred Twenty-five Thousand Dollars (\$625,000) for the Department of Parks and Recreation in the Parks General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To reflect reduction in proposed expenditures since the adoption of the annual budget, Section 1.01 (o) of the City-County Annual Budget for 1995 be, and is hereby amended by the reductions hereinafter stated.

SECTION 2. The following appropriations are hereby reduced:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
1. Personal Services	40,399
3. Other Services and Charges	<u>584,601</u>
TOTAL REDUCTION	625,000

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 727, 1995. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 727, 1995 on November 14, 1995. The proposal amends the Revised Code pertaining to the Information Services Board, Agency. By a 4-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Curry further offered the following amendment and explanation which he read as follows::

Mr. President:

I move to amend Proposal No. 727, 1995 as follows:

1. Amend Sec. 281-212 by adding "(a)" to the beginning of the existing language and by creating a new subsection (b). The purpose of this amendment is to clearly show that the Information Technology Board is not intended to have authority over cable franchising. The new subsection (b) would read as follows:

(b) Should any powers granted by this Article conflict with powers granted under Chapter 851 or Article I of Chapter 285, the provisions of Chapter 851 or Article I of Chapter 285 shall control.

2. Amend Sec. 281-213(b) to simplify the language dealing with quorum and to insert the provision which states that the chief information officer votes only when necessary to break a tie vote. This voting provision is currently found in Sec. 281-221(a). The new Sec. 281-213(b) would read as follows:

(b) A quorum of the board for official action in session shall be ~~three (3)~~ four (4) members, other than ~~For this purpose, the director~~ chief information officer. ~~shall not be considered a member. The chief information officer shall vote only in those matters in which there is a tie vote of the members present.~~ Official minutes of meetings shall be kept by the ~~director~~ chief information officer.

3. Amend Sec. 281-221(a) to delete the voting provisions are to be inserted in Sec. 281-213(b). The new Sec. 281-221(a) would read as follows:

(a) ~~The director chief information officer shall meet with the board as a nonvoting member but shall vote only on those matters in which there is a tie vote of the members present.~~ The director chief information officer shall have such qualifications and experience as set by the board. ~~The director chief information officer shall be the senior administrator of the information services agency (ISA) and shall act as technical advisor and provide staff support for the board in its deliberations. The director chief information officer shall have the authority and responsibility to act for the board in its name on a daily operational basis when the board is not in session, but all such action shall be subject to the review of the board.~~

Councillor Beadling seconded the motion, and it passed by unanimous voice vote. Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 727, 1995, as amended, was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West, Williams*

0 NAYS:

1 NOT VOTING: *Short*

2 ABSENT: *Moriarty Adams, Schneider*

Proposal No. 727, 1995, as amended, was retitled GENERAL ORDINANCE NO. 202, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 202, 1995

A GENERAL ORDINANCE amending the Revised Code of The Consolidated City and County by amending Article II of Chapter 281, pertaining to the Information Services Board, Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OR MARION COUNTY, INDIANA:

SECTION 1. Article II of Chapter 281 of the Revised Code of the Consolidated City and County is hereby amended by inserting the words underlined and deleting the words stricken through as follows:

ARTICLE II. INFORMATION ~~SERVICES~~ TECHNOLOGY BOARD, AGENCY

Sec. 281-201. Definitions.

As used in this article, the following terms shall have the meanings ascribed to them:

- (a) *Board* means the Marion County Information ~~Services~~ Technology Board.
- (b) ~~Director~~ Chief Information Officer means the director of the information services agency and team leader of the IT Team.
- (~~dc~~) *Council* means the City-County Council of Indianapolis and Marion County.
- (ed) *ISA* means the Information Services Agency of Indianapolis and Marion County.
- (e) IT means all aspects of information technology, data processing and related services including telecommunications.
- (f) IT Team means the Information Technology Integration and Coordinating Team.
- (eg) *Subject agencies* means any and all agencies, officers, offices, boards, commissions, divisions and departments of the city, of the county, units of township government in the county, and any court or prosecutor funded by the county.
- (h) Telecommunications means all aspects of telephone services, including voice, data and video transmission and equipment.
- (fi) *User* means any and all subject agencies as defined herein and any and all other entities which use the services of ISA.

Sec. 281-211. Board created; members; compensation.

- (a) To ensure enterprise-wide connectivity, compatibility and integration of information technology and the cost effective provision of quality information systems and services, including telecommunications,

There is hereby created the county information ~~services~~ technology board, which shall consist of the following persons, who shall be appointed for the following terms:

- (1) Two (2) city officers appointed by the mayor of the city to serve at the pleasure of the mayor. One (1) such person shall be a representative for public safety agencies and the other shall be a representative for public service agencies;
- (2) Two (2) county constitutional officeholders, limited to the auditor and the clerk or treasurer of the county, to be appointed by and serve at the pleasure of the council;
- (3) ~~The One (1) representative appointed by the~~ presiding judges of the county municipal superior court, representing the judicial branch of local government, to serve by virtue of that office;
- (4) Two (2) persons, with senior management experience which includes holding or having held line authority over the manager of the data processing area of an organization located in Marion County, that utilizes a large data processing installation comparable to the city-county installation, and that is not in the business of selling data processing equipment or services. One (1) such person shall be appointed by the council and the other by the mayor. The terms of such appointments shall be staggered by the initial appointment of the mayor's appointment to a three-year term and the council's appointment to a two-year term; thereafter each to serve for two-year terms but at the pleasure of the respective appointing authority;
- (5) One township assessor appointed by the majority vote of the nine (9) township assessors of Marion County; and
- (6) The Chief Information Officer.

(b) Board members shall serve in person and not by proxy, and without compensation, except that personal expenses incurred through service to the board, travel, lodging and fees may be reimbursed to the board member upon authorization of the board.

Sec. 281-212. Powers and duties.

~~(a) The board shall have the following powers and duties; provided, however, no power or duty herein prescribed shall in any way be permitted to derogate the powers, duties or responsibilities of any elected official:~~

- ~~(1) To determine the means of financing any information or telephone services, subject to the approval of the council where applicable, and to fix rates and formulas for invoicing users for information services rendered~~ Establish and revise information technology guidelines, standards and benchmark processes for subject agencies and other users;
- ~~(2) Establish and maintain procedures for the technology related planning, approval and quality review of information technology operations and initiatives;~~
- ~~(3) To review, approve and administer major IT contracts;~~
- ~~(4) To define at least five (5) functional classifications for representation of the various subject agencies on the IT Team;~~
- ~~(25) To review and make recommendations concerning~~ approve ~~all information budgets, and approve all operating systems, contracts and expenditures for information or telephone IT services, equipment purchase, rent or lease, consultants, management or technical personnel, studies, programs and information or telephone IT materials or supplies for any and all users;~~
- ~~(36) To conduct studies and evaluations of any and all information or telephone IT needs and current systems operations of users;~~
- ~~(47) To contract for technical and specialized assistance in administering its duties;~~
- ~~(58) To require annual information or telephone IT service plans and resources inventories from all users;~~

- (69) To develop, maintain and communicate ~~information or telephone IT~~ services policy and administrative procedures for users and an ~~information or telephone IT~~ services master plan for users;
- (7) ~~To develop, maintain and distribute personnel job descriptions and salary level recommendations for the director and for information or telephone services staff of ISA or users, and to approve all technical positions therein, in conjunction with the department of administration of the city where applicable;~~
- (810) To employ, or retain by personal services contract, a ~~director for the information services agency~~ chief information officer, who shall have such duties as established herein, to serve at the pleasure of the board;
- (911) To promulgate rules and regulations for the efficient administration of its policies and procedures for users;
- (1012) To develop and oversee adherence to standards for ~~privacy of personally identifiable confidential information and security and confidentiality of all data, information and telecommunication systems and records, including back-up/recovery plans;~~
- (1113) The exclusive power to select and contract with ~~telephone service~~ telecommunication providers for all city and county offices and agencies, whose expenditures for such services are paid from funds subject to appropriation by the city-county council;
- (1214) To delegate any functions to the ~~director~~ chief information officer or the IT Team, subject to review by the board.

(b) Should any powers granted by this Article conflict with powers granted under Chapter 851 or Article I of Chapter 285, the provisions of Chapter 851 or Article I of Chapter 285 shall control.

Sec. 281-213. Officers; quorum; meetings.

(a) The officers of the board shall be a chairperson and a secretary, ~~one (1) of whom shall be a senior city official and the other a county officer.~~ The chairperson ~~shall be named by the mayor~~ and the secretary shall be elected by the board. All contracts, agreements, resolutions and official communications of the board shall be in writing and be executed by these officers upon being authorized by motion passed by the board by simple majority of its members present.

(b) A quorum of the board for official action in session shall be ~~three (3)~~ four (4) members, ~~other than.~~ For this purpose, the director chief information officer shall not be considered a member. The chief information officer shall vote only in those matters in which there is a tie vote of the members present. Official minutes of meetings shall be kept by the ~~director~~ chief information officer.

(c) The board shall meet monthly at such place and time as may be set by the chairperson, and may meet at such other times and places as may be needed in special session called by the chairperson for a particular purpose. All meetings, whether regular or special, shall be open to the public. No official action may be taken by the board except at a public meeting, whether regular or special. Board members may confer from time to time in executive session without the necessity of calling a public meeting as applicable by law.

Sec. 281-221. ~~Director~~ Chief Information Officer-Qualifications; responsibilities generally.

The board shall employ or retain by personal services contract a ~~director~~ chief information officer.

(a) The director shall meet with the board as a nonvoting member. The director chief information officer shall have such qualifications and experience as set by the board. The director chief information officer shall be the senior administrator of the information services agency (ISA) and shall act as technical advisor and provide staff support for the board in its deliberations. The director chief information officer shall have the authority and responsibility to act for the board in its name on a daily operational basis when the board is not in session, but all such action shall be subject to the review of the board.

(b) The chief information officer shall manage and supervise ISA. The chief information officer shall be responsible for the planning, organization and management of ISA, within the organization plans and policies approved by the board.

(c) The chief information officer shall be a member and team leader of the IT Team.

Sec. 281-222. Same-Powers and duties.

The ~~director~~ chief information officer shall have the following additional specific duties;

- (1) To review ~~information or telephone services~~ IT activities, operations, requests and technical personnel of the users and provide recommendations on same to the subject agency or board; to oversee the overall management ~~information or telephone services~~ IT activities which are subject to this article;
- (2) To manage all enterprise-wide IT contracts and assist in the management of the IT contracts of the subject agencies;
- (3) To monitor IT budgets for contract administration;
- (4) To monitor service level agreements and charges;
- (25) To receive and review with comment and recommendations all reports, requests and documents for the board;
- (36) To communicate for and on behalf of the board with the users, including subject agencies, other governmental units and the private sector when the board is not in session;
- (47) To receive budget proposal for ~~information or telephone~~ IT services and operations for agencies of the consolidated city, the county, the courts and other users and to assist the board in review and evaluation of the budgets prior to their submission to the city-county council;
- (58) To review all contracts for ~~information or telephone~~ IT services, equipment lease, rent or purchase, materials, supplies, consultants, technical personnel, studies or programs for users, including specifically, ISA, and submit same with comment and recommendations to the board for its action;
- (69) To coordinate the preparation of a master plan for ~~information or telephone services~~ IT operations for all users within the direction given from the board;
- (710) To implement all administrative rules and regulations promulgated by the board.

Sec. 281-223. Board approval required for services.

(a) The written approval of the board shall be obtained before any subject agency, ~~as defined in section 281-201,~~ shall:

- (1) Acquire by contract, purchase, lease or rental of any data processing services, equipment, materials, supplies, programs or software; or
- (2) Acquire by contract, purchase, lease or rental of telephone or telecommunications services, equipment materials or supplies; or
- (3) Authorize or contract for studies, technical personnel or consultants regarding data processing or telecommunications services.

(b) No subject agency, ~~as defined in section 281-201 herein,~~ or officer, employee or agent thereof shall, ~~after August 31, 1981,~~ purchase, lease, rent or contract for the use of any ~~information or telephone~~ IT services, equipment, materials, supplies, ~~information or telephone services~~ IT studies, programs, technical personnel or consultants without first ~~obtaining written approval of~~ submitting a written proposal to the board for its review, recommendations and approval. Any such purchase, lease, rental or contract entered into by a subject agency without the prior written approval of the board shall be voidable at the option of the board.

Sec. 281-224. Appeal procedure.

(a) Any subject agency or user which, in the opinion of that agency manager, feels aggrieved at a decision of the board concerning that agency's ~~data processing or telephone operations~~ IT systems and services, including telecommunications, may file a written request for review of such decision with the chairperson of the board, who shall place such request on the agenda of the special meeting of the board for the purpose of appellate review. The board shall call a special meeting to hear the appeal, and for the purpose of special meetings for appeals, the board shall consist of the regular board members, plus the mayor or the mayor's designee and the president of the city-county council or such president's designee. The decision of this board shall be final, except as provided in subsection (b) below, and shall be entered of record in the minutes of the board. In order to hear the appeal, the board shall have present at least four (4) of its regular members plus either the mayor (or designee) or the president of the city-county council (or such president's designee).

(b) Should an elected official feel ~~aggrieved at the~~ that a decision resulting from appeal to this board ~~constitutes a derogation of the elected official's powers, duties or responsibilities or otherwise feel aggrieved~~, the matter shall be heard and finally resolved by majority vote at a special meeting of the committee on rules and public policy of the city-county council with at least five (5) members present and voting. Such meeting shall be held within twenty-one (21) days of written request by the elected official.

Sec. 281-231. Information services agency created.

There is created the information services agency (ISA) which shall be under the policy supervision of the county information services ~~technology~~ board through the ~~director~~ chief information officer. ~~ISA shall be the functional operating information and telephone services facility for such portions and agencies of local government and other users as the board may prescribe. The board shall approve the organization of ISA along such lines as are consistent with principles of good management and the provisions of this article.~~

Sec. 281-232. ~~Duties of director with respect to information services agency.~~

~~ISA shall be managed and supervised by the director. The director will be responsible for the planning, organization and management of ISA, within the organization plans and policies approved by the board.~~

Sec. 281-233. Agency function.

ISA shall provide ~~information and telephone~~ IT services to those local government subject agencies and other users designated by the board according to the direction given by the board and to the master plan for the county as developed by the board in conjunction with the subject agencies, including ISA and other users. ISA, subject to the board's direction, shall be the primary provider of services for the city, the county, the courts and all other approved users, ~~and shall receive systems and service requests from its users, evaluate same, and submit requests of a type specified by the board to the director for the director's evaluation and to the board for its approval.~~ With approval of the board, ISA may contract with other agencies, including nongovernmental entities, for the provision of IT systems and services, including telecommunications.

Sec. 281-234. ~~Information services users committee created; duties; procedure.~~

Information Technology Integration and Coordinating Team created.

~~There is created an information services users committee, which shall be made up of representatives of each city, county, township or other local governmental unit and other entity which receives information services subject to this article. The representative members may be managers of user agencies or technical administrators from user agencies designated by the agency manager. The users committee shall be charged with the duty of monitoring the quality and cost of service. The users committee shall meet bimonthly or more frequently if needed. A chairperson, vice chairperson and a secretary shall be chosen from among its members, but the office of vice chairperson must be filled by a township assessor as a representative of the various entities receiving services from ISA. Regular meetings shall be established by the chairperson and special meetings shall be called by the chairperson whenever three (3) or more user representatives so request, stating the subject matter involved and reason immediate action is necessary. Upon the majority vote of a quorum of the users committee in an official meeting, the users committee may cause the board to meet in a special meeting to hear any items the users committee approves to be agenda items at the special board meeting. The appeal procedure provided by section 281-224 shall also be available to the users committee in the event that such special board meetings held under the provisions of this section do not yield results acceptable to a majority vote of a quorum of a subsequent official users~~

~~committee meeting. The users committee shall advise the mayor, the city-county council, the director and the board on matters pertaining to the service received and shall recommend changes and suggestions for improvement where thought necessary.~~

(a) There is hereby created an information technology integration and coordinating team which shall be made up of at least seven (7) members: one (1) person shall be the chief information officer who shall be the team leader of the team; one (1) person for each functional classification defined by the board under section 281-212(4) shall be selected by the various subject agencies included in the functional classification; and one (1) person shall be the manager of the agency or nongovernmental entity which is the primary IT provider. The IT team shall meet as directed by the board and shall have those powers and perform those functions delegated to it by the board. In addition to other functions so delegated, the IT team shall perform the following functions:

- (1) Assist in the development and revision of technology standards, board guidelines and benchmark processes;
- (2) Support the policies, procedures and direction established by the board;
- (3) Provide IT strategy direction and communication forums for subject agencies and other users;
- (4) Review IT budgets annually;
- (5) Establish, monitor and support administration of contracts and service level agreements; and
- (6) Coordinate assistance for the review of major IT projects and IT opportunities for subject agencies and other users.

(b) A quorum of the IT Team shall be a majority of the members. A decision on any matter coming before the IT Team shall be made by a simple majority vote of the members present.

SECTION 2. Until such time as members of the Marion County Information Technology Board have been appointed and qualified, the Marion County Information Technology Board shall consist of those persons acting as members of the Marion County Information Services Board immediately prior to the effective date of this ordinance.

SECTION 3. The express or implied repeal or amendment by this ordinance of any other ordinance of part of any other ordinance does not effect any rights or liabilities accrued prior to the effective date of this ordinance. Those rights and liabilities are continued and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14 or January 1, 1996, whichever date is later.

The President asked Councillor West to present Proposal Nos. 750, 751, and 752, 1995 at this time.

Councillor West reported that the Metropolitan Development Committee heard Proposal Nos. 750, 751, and 752, 1995 on November 13, 1995. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. PROPOSAL NO. 750, 1995. The proposal amends the Special Districts Zoning Ordinance in order to comply with the State's "Development Plan Law" (95-AO-12). PROPOSAL NO. 751, 1995. The proposal amends the Wellfield Protection Zoning Ordinance by extending the expiration date from July 1, 1996 to December 31, 1996 (95-AO-13B). PROPOSAL NO. 752, 1995. The proposal amends the Wellfield Protection Zoning Ordinance by extending the expiration date from July 1, 1996 to

December 31, 1996 (95-AO-13B). Councillor West moved, seconded by Councillor Gilmer, for adoption.

Councillor Giffin asked for consent to abstain from voting on Proposal Nos. 751 and 752, 1995 due to a conflict of interest. Consent was given.

Proposal No. 750, 751, and 752, 1995 were adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West, Williams

0 NAYS:

3 NOT VOTING: Borst, Giffin, Short

2 ABSENT: Moriarty Adams, Schneider

Proposal No. 750, 1995 was retitled GENERAL ORDINANCE NO. 203, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 203, 1995
METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 95-AO-12

A GENERAL ORDINANCE amending the Special Districts Zoning Ordinance of Marion County, Indiana, by 1) repealing the Special Use Districts Ordinance and including the language of that ordinance in the Special Districts Zoning Ordinance; and, 2) allow for Administrator's Approval of certain low intensity development.

WHEREAS, IC 36-7-4 establishes the Metropolitan Development Commission ("MDC") of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana Ordinances for the zoning or districting of all lands within the County for the purposes of securing adequate light, air convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; and

WHEREAS, the MDC of Marion County, Indiana, has adopted and certified, pursuant to IC 36-7-4, various segments of its Comprehensive Plan of Marion County, Indiana;

WHEREAS, the recent amendments to IC 36-7-4 regarding development plans need to be reflected in the Special Districts Zoning Ordinance and this ordinance amendment brings the Special Districts Zoning Ordinance into compliance with the 1400 Series - Development Plans (P.L. 320-1995, 22) of IC 36-7-4; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Special Use Districts Zoning Ordinance, as adopted under Metropolitan Development Commission Docket Number 66-AO-3, as amended, pursuant to IC 36-7-4, is hereby repealed.

SECTION 2. The language of the former Special Use Districts Zoning Ordinance shall be recodified and combined into the Special Districts Zoning Ordinance in the following manner: *

- a. delete the stricken-through language from the former ordinance;
- b. insert the underscored language into the applicable sections of the ordinance; and,
- c. insert non-altered language into the applicable sections of the ordinance.

SECTION 3. The language of the Special Districts Zoning Ordinance shall be further amended by deleting the crosshatched language and inserting the underscored language as follows:

CHAPTER I

Sec. 1.00. Establishment of Special Zoning Districts.

A. *Establishment of Special Zoning Districts.* The following primary Special Zoning District for Indianapolis/Marion County are hereby established, and land within Indianapolis is hereby classified, divided and zoned into said districts as designated on the Zoning Base Maps, which maps are ~~attached hereto, hereby incorporated herein~~ by reference and made a part of this ordinance:

Park Districts

PK-1	Park District One
PK-2	Park District Two

Hospital Districts

HD-1	Hospital District One
HD-2	Hospital District Two

University Quarter Districts

UQ-1	University Quarter District One
UQ-2(B)	University Quarter District Two (Butler University)

B. *Establishment of Special Use Zoning Districts - Permitted Uses.* The following primary Special Use Zoning Districts for Marion County, Indiana, are hereby established, and land within said County zoned to said district classifications shall be designated on the applicable ~~Zoning Base Maps~~ by the following zoning district symbols, respectively (which maps are hereby incorporated by reference and made a part of this ordinance). No use shall be permitted in any Special Use Zoning District other than the following permitted use or uses specified for each said District, respectively:

<u>Zoning District</u>	<u>Symbol</u>	<u>Permitted Use</u>
I	SU-1	Religious use (as defined in Section 2.04 <u>5</u> , B)
II	SU-2	School
III	SU-3	Golf course, golf driving range, golf country club--public or private
V	SU-5	Radio receiving or broadcasting tower and accessory buildings
VI	SU-6	Hospital, sanitarium, nursing home
VII	SU-7	Charitable, philanthropic and not-for-profit institution
VIII	SU-8	Correctional and penal institution
IX	SU-9	Building(s) and grounds used by any department of town, city, township, county, state or federal government
X	SU-10	Cemetery
XIII	SU-13	Sanitary landfill
XVI	SU-16	Indoor and outdoor commercial amusement, recreation and entertainment establishment
XVIII	SU-18	Light or power substation
XX	SU-20	Telephone exchange offices
XXIII	SU-23	Permanent gravel or sand processing plant, rock crushing, grinding or milling and stock piling
XXVIII	SU-28	Petroleum refinery and petroleum products storage
XXXIV	SU-34	a. Club rooms b. Fraternal rooms -- fraternity and lodge c. Ballroom -- public
XXXV	SU-35	Telecommunication receiving or broadcasting tower and associated accessory buildings

XXXVII	SU-37	Library
XXXVIII	SU-38	Community Center
XXXIV	SU-39	Water tank, water pumping station and similar structures not located on buildings
XXXXI	SU-41	Sewage disposal plant; garbage feeding and disposal
XXXXII	SU-42	Gas utility
XXXXIII	SU-43	Power transmission
XXXXIV	SU-44	Off-track pari mutuel wagering facilities, licensed as satellite facilities under IC 4-31-5.5 (Off-track betting facilities, G.O. 92, 1994)

Including for each said district, Accessory Uses and Structures, subordinate, appropriate and incidental to the above permitted primary uses.

CHAPTER II

Sec. 2.00. General Regulations.

A. *Applicability of Regulations.* The following regulations shall apply to all land within the Special Zoning Districts. After the effective date of this ordinance:

1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.

2. No building, structure, premise or part thereof shall be constructed, erected, converted, enlarged, extended reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance.

Provided, however, legally established nonconforming uses and structures or buildings not located in any Flood Control District may be restored to their original dimensions and conditions if damaged or partially destroyed by fire or other disaster when such damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the structure or facilities affected.

B. *Performance Standards.* All uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards. No use in existence on the effective date of this ordinance shall be so altered or modified as to conflict with these standards.

1. *Vibration.* No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.

2. *Smoke, dust and particulate matter.* Smoke, dust, particulate matter and any other airborne material shall be subject to the standards and regulations of Chapter Four of the Municipal Code of the City of Indianapolis, Indiana, ~~which ordinance is on file in the office of the Neighborhood and Development Services Division of the Department of Metropolitan Development of Marion County, Indiana, and is hereby incorporated by reference~~ The standards and regulations noted in Chapter Four of the Municipal Code of the City of Indianapolis for the emission of smoke and particulate matter are hereby incorporated by reference and made a part hereof.

3. *Noxious matter.* No use shall discharge across the lot lines, noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.

4. *Odor.* No use shall emit across the lot lines odor in such quantities as to be readily detectable at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.

5. *Sound.* No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property. Sound shall be muffled so as not to become detrimental due to intermittence, beat, frequency, shrillness or vibration.

6. *Heat and glare.* No use shall produce heat or glare creating a hazard perceptible from any point beyond the lot lines.
7. *Waste matter.* No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana, the Indiana State Board of Health, and the Stream Pollution Control Board of the State of Indiana and the Department of Public Works of Indianapolis, Indiana, or in such a manner as to endanger the public health, safety or welfare or cause injury to property.

C. *Development Plans Required.* A site and development plan shall be required in the PK-1, PK-2, HD-1, HD-2, UQ-1, UQ-2(B), and all SU Districts. Development requirements which must be met for the approval of a site and development plan are specified in each of the respective districts.

D. *Commitments.* The Commission may permit or require commitments.

E. *State Statute Citation.* The applicable Indiana Planning and Zoning Law pertaining to this ordinance is the 1400 Series - Development Plans [P.L. 320-1995, 22] of IC 36-7-4. Regulations contained in, and revisions to, this ordinance reflect the provisions of the 1400 Series - Development Plans.

Sec. 2.01. Park District Regulations.

A. *Permitted Park District Uses.*

1. *Park District One (PK-1) uses.* Public playgrounds, play fields, ball fields, ball courts, tennis courts, spray or wading pools, outdoor swimming pools, ice skating, picnicking, boating, fishing, wild life refuges, botanical gardens, arboreta, scenic areas, greenways, bridle paths, hiking and bicycle trails, and such other primary park or recreational uses, or uses incidental and accessory thereto, as are included within any site and development plan filed with and approved by the Commission as hereinafter provided.

Provided, however, that no use not specifically enumerated, nor any building or structure shall hereafter be constructed or used on any land in the PK-1 DISTRICT for any purpose other than lawfully existed on or prior to May 7, 1969 until a site and development plan for said land and all Park District lands of which it is a common tract (showing the location of existing and proposed park uses, including the location and proposed use of such building or structure to be built or used, or the proposed use not specifically enumerated as a permitted use) shall have been filed with and approved by the Commission unless enumerated in Section 2.01, ~~CD~~ (Specific Exemptions - Administrator's Approval).

2. *Permitted Park Perimeter - Special District Two (PK-2) Uses.* Permitted Uses, as approved by the Commission as hereinafter provided:
 - a. Any dwelling use, including single-family or multi-family, attached or detached dwellings, subject to all standards, requirements and regulations of the Dwelling Districts Zoning Ordinance of Marion County, Indiana, 89-AO-2, as amended, specified in the petition for such Commission approval.
 - b. Any commercial office use, office complex, commercial office -- apartment complex, or other planned complex, which may include business, professional and consumer service offices, retail sales and service uses or other appropriate uses and accessory facilities.
 - c. Regional, community or neighborhood shopping center, commercial center-office-apartment complex, apartment hotels, hotels, motels or other similar single commercial use or multi-use planned complex, including business, professional and consumer service offices, retail sales and service uses, or other appropriate uses and accessory facilities.
 - d. Office-commercial-industrial research and development park or complex or other commercial-industrial use or combination thereof (subject to all standards, requirements and regulations of Section 2.056 of the Industrial Zoning Ordinance, (I-1-U Restricted Industrial Urban District) 63-AO-4, as amended, and accessory facilities.

- e. Public and semipublic structures and uses, parks and open space, including but not limited to museums, auditoriums, theaters, amphitheaters, exhibition halls or exhibition spaces, libraries, civic centers, university or college campus or other educational office complexes, malls, greenways, or other appropriate and accessory facilities.
- f. Residential-recreational-commercial planned complex, including multifamily dwellings, townhouses, condominium, cluster-housing or other planned residential development in combination with open space, recreational-commercial development including golf course, country club, riding stable, tennis or swimming club, marina, lake development or other recreational, public or semi-public, commercial or non-commercial uses, and accessory facilities.
- g. Any other appropriate planned land use, complex or combination of land uses.

Provided, however, that no use, building or structure shall hereafter be established or constructed on any land in the PK-2 District until such proposed use, and a site and development plan for the use shall have been filed with and approved by the Commission unless enumerated in Section 2.01, CD (Specific Exemptions - Administrator's Approval).

B. *Site and Development Plan Consideration.* The Commission may consider and act upon any proposed use and site and development plan, approve the same in whole or in part, and impose additional development standards, requirements or conditions thereon at any public hearing of the Commission.

The Commission shall prescribe in its Rules of Procedure the requirements for an Approval Petition for site and development plan consideration which shall be filed. In addition, the Rules of Procedure set forth the fees, hearing process, notice, and amendment procedures relative to any petition.

~~In the PK-1 District, public notice of such meeting shall be required only to registered neighborhood organizations whose boundaries include all or part of the subject request. In addition, the governmental unit or department filing such plan shall have the right to appear and be heard.~~

~~In the PK-2 District, public notice and notice to adjoining land owners by the petitioner shall be required in accordance with the Commission's Rules of Procedure.~~

1. Plan documentation and supporting information. Said site and development plan shall include layout and elevation plans for all proposed buildings and structures, and shall indicate:
 - a. Proposed Park District uses.
 - b. Any existing uses, buildings and structures.
 - c. Proposed buildings and structures.
 - d. Off-street parking layouts.
 - e. Vehicular entrances and exits and turn-off lanes.
 - f. Setbacks.
 - g. Landscaping, screens, walls, fences.
 - h. Signs, including location, size and design thereof.
 - i. Sewage disposal facilities.
 - j. Storm drainage facilities.
 - k. Other utilities if above ground facilities are needed.
2. Site and development ~~plan~~ requirements. Land in the PK-1 and PK-2 Districts is subject to the following site and development requirements.

In review of the proposed site and development plan, the Commission shall assess whether Such said site and development plan, and proposed uses, buildings and structures shall:

- 1 a. Be in conformity with the Comprehensive Plan of Marion County, Indiana, including the Comprehensive Park Plan for Marion County, Indiana, adopted by Commission Resolution 65-CPS-R-2, as amended;
- 2 b. Create and maintain a desirable, efficient and economical land use with high functional and aesthetic value, attractiveness and compatibility of land uses, with adjacent park and other land uses;
- 3 c. Provide sufficient and adequate access, parking and loading areas;
- 4 d. Provide adequate traffic control and street plan integration with existing and planned public streets and interior access roads;
- 5 e. Provide adequately for sanitation, drainage and public utilities; and
- 6 f. Allocate adequate sites for all uses proposed - the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana, including said Comprehensive Park Plan for Marion County, Indiana.

The Commission may consider and act upon any such proposed use and site and development plan, approve the same in whole or in part, and impose additional development standards, requirements, conditions, or commitments thereon at any public hearing of the Commission.

3. Commission Findings. The Commission shall make written findings concerning any decision to approve or disapprove a site and development plan filed under this Section. The written findings shall be based upon the requirements of Section 2.01, B, 2 above. The President or Secretary of the Commission shall be responsible for signing the written findings.

C. Public Notice.

PK-1 District - Public notice of the hearing regarding such petition shall be required only to registered neighborhood organizations whose boundaries include all or part of the subject request.

PK-2 District - Public notice of the hearing regarding such petition shall be required in accordance with the Commission's Rules of Procedure.

All land use within the PK-1 and PK-2 DISTRICTS shall be subject to all requirements of Section 1.00, C and D of The Improvement Location Permit Ordinance, 68 AO-11, as amended, relative to conformity with all conditions and commitments of the applicable Commission approval or Board of Zoning Appeals grant of a variance.

No use, building or structure shall be established or erected in any PARK DISTRICT without an Improvement Location Permit. An Improvement Location Permit shall not be issued until the proposed use and said site and development plan, or such part thereof as includes the proposed uses, buildings or structures, shall have been approved by the Commission, unless exempt under Section 2.01, C below. Applications for Improvement Location Permits shall be made upon Department of Metropolitan Department forms and shall include all information specified by such forms.

ED. Specific Exemptions - Administrator's Approval.

1. Administrator's Approval. The filing of an Approval Petition and subsequent Commission Approval shall not be required for the creation or alteration of the following structures or for accomplishing the following types of improvements in the PK-1 and PK-2 Districts. Such structures and improvements, however, shall be required to obtain Administrator's Approval prior to the issuance of an Improvement Location Permit. All provisions and regulations of the zoning ordinance applicable in the particular situation, or commitments related to prior Commission Approval, shall continue to apply. The Administrator shall be required to use the

standards of Section 2.01, B, 2 in the review and disposition of such structures and improvements.

- 1 a. Improvements to existing structures that do not increase the usable floor area of that structure (for example: canopies, awnings, vestibules, roof line changes, or similar features).
- 2 b. Additions to existing structures which are less than:
 - One thousand (1,000) square feet in the PK-1 District
 - One thousand (1,000) square feet for residential uses, within the PK-2 District
 - Two thousand five hundred (2,500) square feet for all other uses within the PK-2 District
- 3 c. In the PK-1 District, any new structure which is less than two thousand five hundred (2,500) square feet, provided the structure:
 - Is in substantial conformance with the applicable adopted Park Master Plan; or,
 - Is an accessory support structure which may not be delineated on the adopted Park Master Plan, the location of which, however, will not affect the implementation of the plan (examples of such structures are golf cart buildings, picnic shelters, maintenance sheds, and rest rooms).
- 4 d. Any new residential structures in projects or subdivisions previously approved by the Commission. In instances of an approved subdivision, a plat shall have been recorded.
- 5 e. Accessory structures permitted in connection with residential development
- 6 f. Landscaping
- 7 g. Any incidental sign (as defined by the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended)

2. Appeal of Administrator's Decision. Where the Administrator is given the authority of discretionary approval of plans and specifications, or the method or manner of qualification, or any other similar authority, any party of interest shall have the right to appeal such action by the Administrator before the Metropolitan Development Commission for its review and approval or disapproval as an appeal in the form of an Approval Petition. Such appeal shall be filed within ten (10) business days of approval or denial of said approval as specified in, and following, the Rules of Procedure of the Metropolitan Development Commission. In any appeal, the Commission shall make written findings of its decision as required in Section 2.01, B, 3.

E. Improvement Location Permit Requirements. All land use within the PK-1 and PK-2 Districts shall be subject to all requirements of Section 1.00, C and D of The Improvement Location Permit Ordinance, 68-AO-11, as amended, relative to conformity with all conditions and commitments of the applicable Commission approval or Board of Zoning Appeals grant of a variance.

No use, building or structure shall be established or erected in any Park District without an Improvement Location Permit. An Improvement Location Permit shall not be issued until the proposed use and said site and development plan, or such part thereof as includes the proposed uses, buildings or structures, shall have been approved by the Commission, unless exempt under Section 2.01, D. Applications for Improvement Location Permits shall be made upon Department of Metropolitan Department forms and shall include all information specified by such forms.

DF. Park District Development Standards

Park District One (PK-1) Development Standards. The following development standards shall apply to all land within Park District One:

1. *Location.* Public parks larger than ten (10) acres shall be located with direct access to and frontage on a collector street, or a street designated on the Official Thoroughfare Plan of Marion

County, Indiana (adopted March 6, 1991), as a primary or secondary thoroughfare, parkway, expressway or freeway.

2. *Minimum lot area.* There shall be no minimum lot area.
3. *Setback lines and minimum front yards.*
 - a. Front yards, having a minimum depth in accordance with the following setback requirements shall be provided along all street right-of-way lines:
 - (1) Expressway, Parkway or Primary Thoroughfare (as designated on the Official Thoroughfare Plan of Marion County, Indiana, adopted March 6, 1991). No part of any structure shall be built closer than sixty (60) feet to any right-of-way line of an expressway, parkway or primary thoroughfare.
 - (2) Secondary Thoroughfare (as designated on the Official Thoroughfare Plan of Marion County, Indiana, adopted March 6, 1991). No part of any structure shall be built closer than forty (40) feet to any right-of-way line of a secondary thoroughfare.
 - (3) Collector Street, No part of any structure shall be built closer than thirty (30) feet to any right-of-way line of a collector street.
 - (4) Local Street, Marginal Access Street or Cul-de-Sac. No part of any structure shall be built closer than twenty-five (25) feet to any right-of-way line of a local street, marginal access street, or cul-de-sac, with the exception of the vehicular turnaround thereof. No part of any structure shall be built closer than twenty (20) feet to any right-of-way line of the vehicular turnaround of a cul-de-sac.

Provided, however, that along the right-of-way line of any street, highway, or thoroughfare where access rights thereto have been purchased or otherwise acquired by the governmental agency having jurisdiction thereof, yards having a minimum depth of thirty (30) feet shall be provided.

Exception: Eaves, cornices or other laterally-supported extensions may extend into the front yard setback a maximum of four (4) feet.

4. *Maximum height.* Thirty-five (35) feet.
5. *Off-street parking.*
 - a. Adequate off-street parking spaces shall be provided for the various PK-1 District park activities and uses.
 - b. Off-street parking area for all uses in the PK-1 DISTRICT shall be developed and maintained in accordance with the following requirements:
 - (1) Off-street parking entrances and exits shall be located a minimum distance of twenty-five (25) feet from the nearest point of two (2) intersecting street right-of-way lines. Such access cuts from a public street shall further conform to all requirements of the traffic engineering department having jurisdiction thereof.
 - (2) The surface of parking areas shall be graded and drained in such a manner that there will be no free flow of water onto either adjacent properties or sidewalks.
 - (3) Lighting facilities used to illuminate parking areas shall be so located, shielded and directed upon the parking area that they do not glare onto or interfere with street traffic, adjacent buildings, or adjacent users.
 - c. The distance of driveways and parking areas from any adjacent property line shall be at least twenty (20) feet.
6. *Signs.* Signs and sign structures shall comply with the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended.

Park District Two (PK-2) Development Standards. All development within the Park District Two (PK-2) District shall be in accordance with the site and development plan, as approved by the Commission in accordance with this Section.

Sec. 2.02. Hospital District Regulations.

Statements of Purpose:

Hospital District One (HD-1). The HD-1 zoning category is designed to permit and facilitate the development, expansion, and modernization of a major hospital complex or campus, in which a diversity of uses, functions, and facilities is necessary to best perform the hospital's various services to the public; and, further to permit appropriate land use modifications as necessary to facilitate the highest level of such service.

Hospital District Two (HD-2). The HD-2 zoning category is designed to: (1) permit and facilitate the logical association of a diversity of land uses in close proximity to a major hospital complex; (2) to provide adequate land area for such hospital-related uses; and, (3) to assure a quality and character of site development that will create the environment of safety, quietness, attractiveness and convenience compatible with such hospital complex.

A. Permitted Hospital District Uses.

1. *Permitted Hospital District One (HD-1) Uses.* All uses permitted within the HD-1 District shall be subject to the Commission's approval, as included with a required site and development plan filed with, and approved by, said Commission as specified in Section 2.02, B.

Hospital Complex or Hospital Campus, including the following accessory uses operated by or for the hospital, and integrally related thereto:

- a. Administrative and professional staff offices.
 - b. Apartments and dormitories for hospital staff, personnel and students.
 - c. Cafeterias, gift shops, book stores and other similar convenience functions.
 - d. Medical, research, multi-service convalescent and educational facilities and buildings, and related functions such as laboratories, auditoriums, class and recreation facilities.
 - e. Off-street parking lots and garages for employees, staff, and visitors; and off-street loading facilities.
 - f. Warehouses, maintenance buildings, laundries, food preparation facilities, and utilities structures.
 - g. Other similar uses and facilities.
2. *Permitted Hospital District Two (HD-2) Uses.* All uses permitted within the HD-2 District shall be subject to the Commission's approval, as included within a required site and development plan filed with, and approved by, said Commission as specified in Section 2.02, B.
 - a. Apartments, dormitories, and other higher-intensity, permanent or transient residential structures.
 - b. Commercial parking lots and garages.
 - c. Medical laboratories, surgical and medical supply firms, hospital and sickroom equipment sales and rental.
 - d. Nursing, convalescent and retirement homes.
 - e. Offices for physicians, dentists, and other professions dealing with public health.

- f. Pharmacies; florists; card and gift shops; restaurants; uniform clothing stores; and similar convenience and specialty sales and service businesses.
- g. Other similar hospital-related or oriented uses.

B. Site and Development Plan Consideration. No use, building or structure shall hereafter be established, constructed or used on any land in the HD-1 or HD-2 District for any purpose other than lawfully existed on or prior to July 17, 1968 until a site and development plan for said land, including the proposed Hospital District use or uses shall have been filed with and approved by the Commission unless enumerated in Section 2.02, B,3 D (Specific Exemptions - Administrator's Approval).

The Commission shall prescribe in its Rules of Procedure the requirements for an Approval Petition for site and development plan consideration which shall be filed. In addition, the Rules of Procedure set forth the fees, hearing process, notice, and amendment procedures relative to any petition.

1. Plan Documentation and Supporting Information. Said site and development plan shall include layout and elevation plans for all proposed buildings and structures, and shall indicate:
 - a. Proposed Hospital District uses.
 - b. Any existing uses, buildings and structures.
 - c. Proposed buildings and structures.
 - d. Off-street parking layouts.
 - e. Vehicular entrances and exits and turn-off lanes.
 - f. Setbacks.
 - g. Landscaping, screens, walls, fences.
 - h. Signs, including location, size and design thereof.
 - i. Sewage disposal facilities.
 - j. Storm drainage facilities.
 - k. Other utilities if above ground facilities are needed.
2. Site and Development Requirements. Land in the HD-1 and HD-2 Districts is subject to the following site and development requirements.

In review of the proposed site and development plan, the Commission shall assess whether said Such site and development plan, proposed use, ~~and~~ buildings ~~or~~ and structures shall:

- a. be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan of Marion County, Indiana.
- b. create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the Hospital District and with adjacent uses;
- c. provide sufficient and adequate access, parking and loading areas;
- d. provide traffic control and street plan integration with existing and planned public streets and interior roads;
- e. provide adequately for sanitation, drainage and public utilities; and
- f. allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and

proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana.

The Commission may consider and act upon any such proposed use and site and development plan, approve the same in whole or in part, and impose additional development standards, requirements, or conditions, or commitments thereon at any public hearing of the Commission.

3. Commission Findings. The Commission shall make written findings concerning any decision to approve or disapprove a site and development plan filed under this Section. The written findings shall be based upon the requirements of Section 2.02, B, 2 above. The President or Secretary of the Commission shall be responsible for signing the written findings.

C. *Public Notice.*

HD-1 District: Public notice of ~~the hearing a public hearing of the Commission~~ regarding such petition site and development plan approval shall be required only to registered neighborhood organizations whose boundaries include all or part of the subject request. ~~In addition, the owner/petitioner filing such plan shall have the right to appear and be heard.~~

HD-2 District: Public notice of ~~the hearing a public hearing of the Commission~~ regarding such petition site and development plan approval, and notice by the petitioner to adjoining land owners (including, additionally, the major hospital of the adjacent HD-1 District) shall be required in accordance with the Commission's Rules of Procedure. In addition, the major hospital of the adjacent HD-1 District shall also receive public notice of the hearing by the petitioner.

2. Improvement Location Permit Requirements. ~~No building or structure shall be erected in the HD-1 or HD-2 District without an Improvement Location Permit. Said permit shall not be issued until the site and development plan, including the proposed Hospital District use or uses and plans for such building or structure, shall have been approved by the Commission, unless exempt under Section 2.02, B, 3 below. Applications for an Improvement Location Permit shall be made upon Department of Metropolitan Development forms and shall include all information specified by such forms.~~

3D. Specific Exemptions - Administrator's Approval. The filing of an Approval Petition and subsequent Commission Approval shall not be required for the creation or alteration of the following structures or for accomplishing the following types of improvements in the HD-1 and HD-2 Districts. Such structures and improvements, however, shall be required to obtain Administrator's Approval prior to the issuance of an Improvement Location Permit. All provisions and regulations of the zoning ordinance applicable in the particular situation, or commitments related to prior Commission Approval, shall continue to apply. The Administrator shall be required to use the standards of Section 2.02, B, 2 in the review and disposition of such structures and improvements.

1. Administrator's Approval.

- a. Improvements to existing structures that do not increase the usable floor area of that structure (for example: canopies, awnings, vestibules, roof line changes, or similar features).
- b. Additions to existing structures which are less than two thousand five hundred (2,500) square feet in area.
- c. Accessory structures permitted in connection with residential development.
- d. Landscaping.
- e. Any incidental sign (as defined by the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended).

2. Appeal of Administrator's Decision. Where the Administrator is given the authority of discretionary approval of plans and specifications, or the method or manner of qualification, or any other similar authority, any party of interest shall have the right to appeal such action by the Administrator before the Metropolitan Development Commission for its review and approval or disapproval as an appeal in the form of an Approval Petition.

Such appeal shall be filed within ten (10) business days of approval or denial of said approval as specified in, and following, the Rules of Procedure of the Metropolitan Development Commission. In any appeal, the Commission shall make written findings of its decision as required in Section 2.02, B, 3.

2E. Improvement Location Permit Requirements. No building or structure shall be erected in the HD-1 or HD-2 District without an Improvement Location Permit. Said permit shall not be issued until the site and development plan, including the proposed Hospital District use or uses and plans for such building or structure, shall have been approved by the Commission, unless exempt under Section 2.02, B, 3 below. Applications for an Improvement Location Permit shall be made upon Department of Metropolitan Development forms and shall include all information specified by such forms.

€F. Hospital District Development Standards. All development within the Hospital Districts shall be in accordance with the site and development plan, as approved by the Commission in accordance with this Section, 2.02, B.

Sec. 2.03. University Quarter District Regulations

A. Permitted University Quarter District Use.

1. Permitted University Quarter One (UQ-1) Uses.

- a. University Uses, provided, however, prior to the issuance of an Improvement Location Permit for any use, structure, building or development within the UQ-1 DISTRICT, the Commission's approval shall be required unless enumerated in Section 2.03, A, ~~3~~, D (Specific Exemptions - Administrator's Approval).

The petition for such UQ-1 approval shall include a site and development plan. ~~The Commission may consider and act upon such petition, approve the same in whole or in part, and impose additional development standards, requirements or conditions thereon at any public meeting of the Commission. Public notice thereof shall not be required; however, the owner/petitioner shall have the right to appear and be heard. The proposed use, building or structure and site and development plan shall:~~

- ~~(1) be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan of Marion County, Indiana, including the applicable University Quarter Plan;~~
- ~~(2) create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the University Quarter District and with adjacent uses;~~
- ~~(3) provide sufficient and adequate access, parking and loading areas;~~
- ~~(4) provide traffic control and street plan integration with existing and planned public streets and interior access roads;~~
- ~~(5) provide adequately for sanitation, drainage and public utilities; and~~
- ~~(6) allocate adequate sites for all uses proposed, the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana, including the applicable University Quarter Plan.~~

2. Permitted University Quarter Two (Butler University) (UQ-2[B]) Uses.

- a. Any use permitted in the D-5 Dwelling District, subject to all standards, requirements and regulations of Section 2.07 of the Dwelling Districts Zoning Ordinance (D-5 Dwelling District 5 Regulations), 89-AO-2, as amended. Neither Commission nor Administrator's Approval shall be required for permitted uses in this district, so long as all standards of the Dwelling Districts Zoning Ordinance for D-5 District development are satisfied.

- b. University-related group dwelling use. (dormitory or fraternal organization) providing residence solely for university students or faculty. Provided however, such University-related group dwelling use shall be subject to the Commission's approval, as hereinafter provided, unless enumerated in Section 2.03, A, 3, D (Specific Exemptions - Administrator's Approval), and subject to the development standards of Section 2.03, B F.

The petition for UQ-2(B) University-related group dwelling use approval shall include a site and development plan. ~~The Commission may consider and act upon such petition, approve the same in whole or in part, and impose additional development standards, requirements or conditions thereon at any public hearing of the Commission. Public notice thereof and notice by the petitioner to adjoining land owners in accordance with the Commission's Rules of Procedure shall be required. The proposed use, building or structure, and site and development plan shall:~~

- (1) ~~be so designed as to create a superior land development plan, in conformity with the Comprehensive plan of Marion County, Indiana, including the applicable University Quarter Plan;~~
- (2) ~~create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the University Quarter District and with adjacent uses;~~
- (3) ~~indicate sufficient and adequate access, parking and loading areas - except, however, such primary GROUP DWELLING parking area shall not be located within the subject site, but shall be provided within five hundred (500) feet thereof in the adjacent UQ-1 DISTRICT;~~
- (4) ~~provide adequately for sanitation, drainage and public utilities; and~~
- (5) ~~allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana, including the applicable University Quarter Plan.~~

B. Site and Development Plan Consideration. The Commission shall prescribe in its Rules of Procedure the requirements for an Approval Petition for site and development plan consideration which shall be filed. In addition the Rules of Procedure set forth the fees, hearing process, notice, and amendment procedures relative to any petition.

- 1. Plan Documentation and Supporting Information. Land in the UQ-1 and UQ-2 Districts is subject to the following site and development requirements.

Said site and development plan shall include layout and elevation plans for all proposed buildings and structures, and shall indicate:

- a. Proposed University Quarter District uses.
- b. Any existing uses, buildings and structures.
- c. Proposed buildings and structures.
- d. Off-street parking layouts.
- e. Vehicular entrances and exits and turn-off lanes.
- f. Setbacks.
- g. Landscaping, screens, walls, fences.
- h. Signs, including location, size and design thereof.
- i. Sewage disposal facilities.
- j. Storm drainage facilities.
- k. Other utilities if above ground facilities are needed.

2. Site and Development Requirements. In review of the proposed site and development plan, the Commission shall assess whether said site and development plan ~~The proposed uses, buildings or structures and site and development plan shall:~~

- 1 a. be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan of Marion County, Indiana, including the applicable University Quarter Plan;
- 2 b. create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the University Quarter District and with adjacent uses;
- 3 c. provide sufficient and adequate access, parking and loading areas; except, however, such primary Group Dwelling parking area shall not be located within the subject site, but shall be provided within five hundred (500) feet thereof in the adjacent UQ-1 District;
- 4 d. provide traffic control and street plan integration with existing and planned public streets and interior access roads;
- e. provide adequately for sanitation, drainage and public utilities; and
- f. allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, consistent with the Comprehensive Plan of Marion County, Indiana, including the applicable University Quarter Plan.

The Commission may consider and act upon such petition, approve the same in whole or in part, and impose additional development standards, requirements, ~~or~~ conditions, or commitments thereon at any public meeting of the Commission.

3. Commission Findings. The Commission shall make written findings concerning any decision to approve or disapprove a site and development plan filed under this Section. The written findings shall be based upon the requirements of Section 2.03, B, 2 above. The President or Secretary of the Commission shall be responsible for signing the written findings.

C. Public Notice.

UQ-1 District: Public notice of such petition thereof shall not be required; ~~however, the owner/petitioner shall have the right to appear and be heard.~~

UQ-2(B) District. Public notice of the hearing regarding such petition shall be required thereof ~~and notice by the petitioner to adjoining land owners in accordance with the Commission's Rules of Procedure shall be required.~~

3D. Specific Exemptions - Administrator's Approval. The filing of an Approval Petition and subsequent Commission Approval shall not be required for the creation or alteration of the following structures or for accomplishing the following types of improvements in the UQ-1 and University-related group dwelling uses (dormitory or fraternal organization), permitted in the UQ-2(B) Districts. Such structures and improvements, however, shall be required to obtain Administrator's Approval prior to the issuance of an Improvement Location Permit. All provisions and regulations of the zoning ordinance applicable in the particular situation, or commitments related to prior Commission Approval, shall continue to apply. The Administrator shall be required to use the standards of Section 2.03, B, 2 in the review and disposition of such structures and improvements.

1. Administrator's Approval.

- a. Improvements to existing structures that do not increase the usable floor area of that structure (for example: canopies, awnings, vestibules, roof line changes, or similar features).
- b. Additions to existing structures which are less than two thousand five hundred (2,500) square feet in area (UQ-1 District only).
- c. Landscaping.

- d. Any incidental sign (as defined by the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended).

2. Appeal of Administrator's Decision. Where the Administrator is given the authority of discretionary approval of plans and specifications, or the method or manner of qualification, or any other similar authority, any party of interest shall have the right to appeal such action by the Administrator before the Metropolitan Development Commission for its review and approval or disapproval as an appeal in the form of an Approval Petition. Such appeal shall be filed within ten (10) business days of approval or denial of said approval as specified in, and following, the Rules of Procedure of the Metropolitan Development Commission. In any appeal, the Commission shall make written findings of its decision as required in Section 2.03, B, 3.

E. Improvement Location Permit Requirements. No building or structure shall be erected in the UQ-1 or UQ-2(B) District without an Improvement Location Permit. Said permit shall not be issued until the site and development plan, including the proposed University Quarter District use or uses and plans for such building or structure, shall have been approved by the Commission, unless: 1) such building or structure complies with Section 2.03, A, 2, a; or, is exempt under Section 2.03, D. Applications for an Improvement Location Permit shall be made upon Department of Metropolitan Development forms and shall include all information specified by such forms.

BE. University Quarter District Development Standards.

1. *Development Standards - UQ-1 District.*

a. *Setback lines and minimum yards.*

- (1) Setback line and minimum front yard: Yards, having a minimum depth in accordance with the setback requirements of Section 2.21, A of the Dwelling District Zoning Ordinance, 89-AO-2, as amended, shall be provided along all street right-of-way lines.
- (2) Minimum side and rear yards: fifteen (15) feet or one (1) foot for each foot of building height, whichever is greater.

b. *Maximum building area.* Building area (as defined in Section 2.25 of the Dwelling Districts Zoning Ordinance), 89-AO-2, as amended, shall not exceed forty percent (40%) of the lot area.

c. *Maximum height.* Thirty-five (35) feet

2. *Development Standards - UQ-2(B), University-related group dwelling uses.*

a. *Setback lines and minimum yards.*

- (1) Setback line and minimum front yard: Yards, having a minimum depth in accordance with the setback requirements of Section 2.21, A of the Dwelling District Zoning Ordinance, 89-AO-2, as amended, shall be provided along all street right-of-way lines.
- (2) Minimum side and rear yards: fifteen (15) feet or one (1) foot for each foot of building height, which ever is greater.

b. *Maximum building area.* Building area (as defined in Section 2.25 of the Dwelling Districts Zoning Ordinance), 89-AO-2, as amended, shall not exceed forty percent (40%) of the lot area.

c. *Maximum height.* Thirty-five (35) feet

Sec. 2.04. Special Use District Regulations.

The following regulations shall apply to all land within the Special Use Districts.

A. *Applicability of Regulations for Special Use (SU) Districts.* After the effective date of this ordinance:

1. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance and until the proposed site and development plan and landscape plan have been filed with and approved on behalf of the Metropolitan Development Commission by the Administrator of the Neighborhood and Development Services Division or approved by said Metropolitan Development Commission, as hereinafter provided. Said request shall be in the form of an application for an Improvement Location Permit, following all requirements for plan submission and documentation of the Improvement Location Permit Ordinance (68-AO-11, as amended) and shall contain the information specified in Section 2.04, B, 1.

~~Upon the application for such permit request, the Administrator of the Neighborhood and Development Services Division on behalf of the Metropolitan Development Commission, shall consider and either approve, disapprove, or approve subject to any conditions, amendments or covenants by the petitioner, the proposed site and development plan and landscape plan. (The action of the Administrator upon such permit application shall be subject to the filing of an appeal in the form of an Approval Petition, within ten (10) days of denial of said approval, by any aggrieved person to the Metropolitan Development Commission as specified in the Rules of Procedure of the Metropolitan Development Commission.)~~

~~The Metropolitan Development Commission may consider and act upon such appeals of the action of the Administrator at any public meeting of the Commission, and shall either approve, disapprove, or approve subject to any conditions, amendments, or covenants by the petitioner, the site and development plan and landscape plan. The Approval Petition shall be heard in accordance with the Metropolitan Development Commission's Rules of Procedure.~~

~~No building or structure shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated in said Special Use Districts of Indianapolis, Marion County, Indiana, without an Improvement Location Permit, and said permit shall not be issued until the proposed site and development plan has been approved in accordance with this section.~~

- ~~2. Legally established nonconforming uses and structures or buildings not located in any Flood Control District may be restored to their original dimensions and conditions if damaged or partially destroyed by fire or other naturally occurring disaster, provided the damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the building or structure affected.~~
32. All land use within the Special Use Districts shall be limited to the use or uses existing on the effective date of this ordinance or specified in the applicable rezoning petition or ordinance redistricting and zoning the particular land to that District.

B. Site and Development Plan Consideration. Upon the application for such permit, the Administrator of the Neighborhood and Development Services Division on behalf of the Metropolitan Development Commission, shall consider and either approve, ~~disapprove,~~ or approve subject to any conditions, amendments or commitments agreed to by the applicant, the proposed site and development plan and landscape plan.

1. Plan Documentation and Supporting Information. Said site and development plan shall include layout and elevation plans for all proposed buildings and structures, and shall indicate:
 - a. Proposed Special Use District uses.
 - b. Any existing uses, buildings, and structures.
 - c. Proposed buildings and structures.
 - d. Off-street parking layout.
 - e. Vehicular entrances and exits and turn-off lanes.
 - f. Setbacks.
 - g. Landscaping, screens, walls, fences.

- h. Signs, including location, size and design thereof.
- i. Sewage disposal facilities.
- j. Storm drainage facilities.
- k. Other utilities if above ground facilities are needed.

2. Site and Development Requirements. Land in the SU Districts is subject to the following site and development requirements.

In review of the proposed site and development plan, the Commission shall assess whether said site and development plan, proposed uses, buildings and structures shall:

- a. be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan of Marion County, Indiana, including the applicable University Quarter Plan;
- b. create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the Special Use District and with adjacent uses;
- c. provide sufficient and adequate access, parking and loading areas;
- d. provide traffic control and street plan integration with existing and planned public streets and interior access roads;
- e. provide adequately for sanitation, drainage and public utilities; and
- f. allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana.

C. Public Notice. Public notice of the filing of an application under this section and public notice of the decision by the Administrator relative to such application shall not be required.

D. Administrator's Approval. The Administrator shall be required to use the standards of Section 2.04, B, 2, and Section 2.04, F in the review and disposition of such structures and improvements.

Appeal of Administrator's Decision. Where the Administrator is given the authority of discretionary approval of plans and specifications, or the method or manner of qualification, or any other similar authority, any party of interest shall have the right to appeal such action by the Administrator before the Metropolitan Development Commission for its review and approval or disapproval as an appeal in the form of an Approval Petition. Such appeal shall be filed within ten (10) business days of approval or denial of said approval as specified in, and following, the Rules of Procedure of the Metropolitan Development Commission. In any appeal decision, the Commission shall make written findings of its decision as required in Section 2.03, B, 3.

E. Improvement Location Permit Requirements. No building or structure shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated in said Special Use Districts of Indianapolis, Marion County, Indiana, without an Improvement Location Permit, and said permit shall not be issued until the proposed site and development plan has been approved in accordance with this Section.

~~B~~F. Development Standards. In addition to the site and development requirements of Section 2.04, B, 2, All uses permitted within the Special Use Districts shall be administratively reviewed (as noted in Section 2.04, A, 1), using as an administrative guide, the development standards applicable to the specified District as follows:

<u>Special Use Zoning District</u>	<u>Applicable District For Development Standards Compliance Review</u>
SU-1	C-1
SU-2	C-1
SU-3	C-5
SU-5	I-2-S
SU-6	C-2
SU-7	C-2
SU-8	C-2
SU-9	C-1
SU-10	C-1
SU-13	(As per Section 2.04, CG)
SU-16	C-5
SU-18	I-1-S
SU-20	C-1
SU-23	I-5-S
SU-28	I-4-S
SU-34	C-3
SU-35	I-2-S
SU-37	C-1
SU-38	C-3
SU-39	C-1
SU-41	I-5-S
SU-42	C-1 (And as per Section 2.04, DH)
SU-43	I-1-S
SU-44	C-3 (G.O. 92, 1994) (And as per Section 2.04, EI)

The Administrator, in reviewing Special Use District development, shall consider ~~have the power to modify~~ the standards noted above, and may approve alternatives for those requirements so long as the alternative standards are appropriate for the site and its surroundings, and the site development is compatible and consistent with the intent of the stated standards. Such modifications shall be noted on the site and development plan, stamped approved by the Administrator and become a part of the file and requirements for the Improvement Location Permit.

CG. *Additional Development Standards for the Special Use XIII (SU-13) District.* In addition to the regulations of Section 2.00, A and B, and Section 2.04 A ~~and B~~ through E, the following regulations shall apply to Special Use District XIII (SU-13):

1. *Land use restriction.* Land use permitted in the SU-13 District shall be limited to "sanitary landfill" operations, as defined in Section 2.05, B. Whenever the applicable standards or requirements of any other ordinance, or governmental unit or agency thereof are higher or more restrictive, the latter shall control land use permitted in the SU-13 District. "Open Dumping", as defined in Section 2.05, B, shall not be permitted in the SU-13 District. No use in the SU-13 District shall be maintained or operated in a manner constituting a hazard to health, safety or the public welfare.
2. *Minimum lot area.* Ten (10) acres.
3. *Minimum frontage.* Three hundred (300) feet.
4. *Minimum yards.* Minimum required depth of front, rear and side yards, surrounding the landfill operation: One hundred (100) feet.

No landfill operation, or portion thereof, shall be permitted within one hundred (100) feet of any lot line.
5. *Fencing.* The entire landfill operation shall be enclosed with a substantial wall, fence at least five (5) feet in height, or other adequate barrier.

6. *Buffer Strip.* A buffer planting strip, requiring trees, shrubs and woody vegetation, at least thirty (30) feet in depth, shall be provided and maintained between the lot lines and the above required fencing or other enclosure.
7. *Signs.* Signs and sign structures shall comply with the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended.
8. *Access Drive.* Distance of driveway entrance or exit from any adjacent lot line shall be at least one hundred twenty-five (125) feet.

Any portion of such access drive within a distance of one hundred fifty (150) feet of the public street shall be paved or treated so as to be dust free.

9. *Required permit, site & operational plan; bond.*

- a. No sanitary landfill operation (or phase thereof) shall be permitted in the SU-13 District until a Permit has been issued by the Neighborhood and Development Services Division and a bond filed therefore, as required by sub-paragraph b. hereof.
- b. Applications for the Permit required by subparagraph a. above shall be made in writing and shall be accompanied by a corporate surety bond for the faithful performance of all applicable requirements of this ordinance, including the operation and the completion of the sanitary landfill in accordance with the approved Site and Operational Plan, as required by sub-paragraph c. hereof. (Such Permit may be issued and bond filed for the total operation or for one or more phases thereof, as shown on the Site and Operational Plan.)

Said bond shall run jointly and severally to the Metropolitan Development Commission of Marion County, Indiana, and any other governmental agency requiring a similar bond, and shall be in the amount of ten thousand dollars (\$10,000.00) per operation, with approved surety. Said bond shall specify the time for completion of all applicable requirements of this ordinance and shall specify the total operational area, or phase thereof, covered by the bond.

- c. Applications for the Permit required by sub- paragraph a. above shall be accompanied by the following:

- (1) proposed Site and Operational Plan, including topographic maps (at a scale of not over one hundred [100] feet to the inch) with contour intervals which clearly show the character of the land and geological characteristics of the site as determined by on-site testing or from earlier reliable survey data, indicating soil conditions, water tables and subsurface characteristics.

Said Plan shall indicate: the proposed fill area; any borrow area; access roads; on-site drives; grades for proper drainage of each lift required and a typical cross- section of a lift; special drainage devices if necessary; location and type of fencing; structures existing or to be located on the site; existing wooded areas, trees, ponds or other natural features to be preserved; existing and proposed utilities; phasing of landfill operations on the site; a plan and schedule for site restoration and completion; a plan for the ultimate land use of the site; and all other pertinent information to indicate clearly the orderly development, operation and completion of the sanitary landfill. Approval of said Site and Operational Plan by the Administrator of the Neighborhood and Development Services Division shall be required prior to the issuance of said permit.

- (2) An area map.

10. *Operation.*

- a. Supervision of operation. A landfill operation shall be under the direction of a responsible individual at all times. Access to a sanitary landfill shall be limited to those times when an attendant is on duty and only to those authorized to use the site for the disposal of refuse. Access to the site shall be controlled by a suitable barrier.
- b. Unloading of refuse. Unloading of refuse shall be continuously supervised.

- c. Site maintenance. Measures shall be provided to control dust and blowing paper. The entire area shall be kept clean and orderly.
 - d. Spreading and compacting of refuse. Refuse shall be spread so that it can be compacted in layers not exceeding a depth of two (2) feet of compacted material. Large and bulky items, when not excluded from the site, shall be disposed of in a manner approved by the Health and Hospital Corporation.
 - e. Daily cover. A compacted layer of at least six (6) inches of suitable cover material shall be placed on all exposed refuse by the end of each working day.
 - f. Final cover. A layer of suitable cover material compacted to a minimum thickness of two (2) feet shall be placed over the entire surface of each portion of the final lift not later than one (1) week following the placement of refuse within that portion.
 - g. Maintenance of cover. All daily cover depths must be continually maintained and final cover depths shall be maintained for a period of two (2) years.
 - h. Hazardous materials, including liquids and sewage. Hazardous materials, including liquids and sewage, shall not be disposed of in a sanitary landfill unless special provisions are made for such disposal through the health department having jurisdiction. This provision in no way precludes the right of a landfill operator to exclude any materials as a part of his operational standards.
 - i. Burning. No refuse shall be burned on the premises.
 - j. Salvage. Salvaging, (the controlled removal of reusable materials), if permitted, shall be organized so that it will not interfere with prompt sanitary disposal of refuse or create unsightliness or health hazards. Scavenging (the uncontrolled removal of materials) shall not be permitted.
 - k. Insect and rodent control. Conditions unfavorable for the production of insects and rodents shall be maintained by carrying out routine landfill operations promptly in a systematic manner. Supplemental insect and rodent control measures shall be instituted whenever necessary.
 - l. Drainage of surface water. The entire site, including the fill surface, shall be graded and provided with drainage facilities to minimize runoff onto and into the fill, to prevent erosion or washing of the fill, to drain off rainwater falling on the fill, and to prevent the collection of standing water.
 - m. Characteristics of cover material. Cover material shall be of such character that it can be compacted to provide a tight seal and shall be free of putrescible materials and large objects.
 - n. Water pollution and nuisance control. Sanitary landfill operations shall be so designed and operated that conditions of unlawful pollution will not be created and injury to ground and surface waters avoided which might interfere with legitimate water uses. Water-filled areas not directly connected to natural lakes, rivers or streams may be filled with specific inert material not detrimental to legitimate water uses and which will not create a nuisance or hazard to health. Special approval of the inert material to be used in this manner shall be required in writing from the Health and Hospital Corporation. Inert material shall not include residue from refuse incinerators.
 - o. Equipment. Adequate numbers, types and sizes of properly maintained equipment shall be used in operating the landfill in accordance with good engineering practice and with these rules.

Emergency equipment shall be available on the site or suitable arrangements made for such equipment from other sources during equipment breakdown or during peak loads.
11. *Completion of landfill.* Upon completion of the landfill operation, or any phase thereof as indicated on the approved Site and Operational Plan, the land shall be graded, backfilled and finished to a surface which will:

- a. result in a level, sloping or gently rolling topography in substantial conformity or desirable relationship to the original site, and land area immediately surrounding, and
- b. minimize erosion due to rainfall. Such graded or backfilled area shall be sodded or surfaced with soil of a quality at least equal to the topsoil of vegetation producing land areas immediately surrounding, and to a depth of at least six (6) inches.

Said topsoil shall be planted with trees, shrubs, legumes or grasses, as indicated on the approved Site and Operational Plan.

~~DH.~~ *Additional Development Standards for the Special Use XXXXII (SU-42) District.* In addition to the regulations of Section 2.00, A and B, and Section 2.04 A ~~and B~~ through F, the following regulations shall apply to all gas conditioning and control facilities, including odorizing, mixing, metering and high pressure regulating substations permitted under such Special Use District XXXXII (SU-42), and where the word "lot" is used in the following twelve paragraphs it shall be deemed to include, but not be limited to, any area of land designated as a lot on a platted subdivision or described on a duly recorded deed or area or parcel of land or site:

1. The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association. The requirements pertaining to the storage, utilization or manufacture of all products or materials contained in the standards prescribed by the National Fire Protection Association are hereby incorporated into this ordinance by reference and made a part hereof. ~~a copy of which is on file in the office of the Neighborhood and Development Services Division, Department of Metropolitan Development of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof.~~ Such storage, utilization or manufacture shall not produce a hazard or endanger the public health, safety and welfare.
2. All uses shall conform to the Atomic Energy Commission's standards for protection against radiation. The Atomic Energy Commission's standards for protection against radiation are hereby incorporated into this ordinance by reference and made a part hereof. ~~a copy of which is on file in the office of the Neighborhood and Development Services Division, Department of Metropolitan Development of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof.~~
3. All uses shall conform to the Federal Communications Commission's standards governing electromagnetic radiation. The Federal Communications Commission's standards governing electromagnetic radiation is hereby incorporated into this ordinance by reference and made a part hereof. ~~a copy of which is on file in the office of the Neighborhood and Development Services Division, Department of Metropolitan Development of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof.~~
4. No building or structure for uses permitted under such Special Use District XXXXII (SU-42) shall be constructed and no premises shall be used for such purposes on any lot which does not have direct frontage on one (1) permanently surfaced public street ~~or highway.~~
5. All uses permitted under such Special Use District XXXXII (SU-42) shall provide hardsurfaced, off-street parking areas, including as a minimum requirement one (1) space (containing three hundred-thirty [330] square feet in addition to the necessary ingress and egress lanes) for each two employees, computed on the basis of the greatest number of persons employed at any one period during the day or night. Such parking areas must not extend within twenty (20) feet of any lot boundary except where said lot boundary abuts an active railroad line. Such parking areas shall not be leased or rented for hire, but shall be for the sole use of the occupants and visitors of the premises.
6. The total of the gross floor area of all structures on the lot, excluding the gross floor area of off-street parking building space, shall not exceed one-half (1/2) the area of the lot on which the structures are located.
7. A front yard shall be required along every front lot line. A front yard shall be not less than the established setback for abutting land; provided, however, in the event such established set-backs of abutting land shall not be of equal depth, the front yard shall be not less than the depth of the

greater, and in the event the abutting land is in an Industrial or Commercial District, the front yard shall be not less than sixty (60) feet in depth. Provided further that in the event said lot adjoins a Dwelling District, the fence and hedge referred to in paragraph (12) hereof shall not be located closer to any street right-of-way than the established setback line of said

Dwelling District, said fence to be not less than fifteen (15) additional feet from the outside of the building or structure as provided in said paragraph (12) hereof. Except for necessary walks, drives and parking areas not exceeding ten percent (10%) of the front yard area, a front yard shall be planted in grass or other suitable ground cover.

8. A side yard shall be provided along each side lot line. A side yard shall be at least fifty (50) feet in depth (except where it abuts a main line railroad) plus one (1) foot for each foot of height by which the building or structure exceeds twenty (20) feet.
9. A rear yard shall be provided along each rear yard line. A rear yard shall be at least fifty (50) feet in depth (except where it abuts an active main line railroad) plus one (1) foot for each foot of height by which the building or structure exceeds twenty (20) feet.
10. All signs shall meet the requirements of the Sign Regulations of Marion County, Indiana (71-AO-4, as amended).
11. All gas conditioning and control facilities permitted under such Special Use District XXXXII (SU-42) and equipment relating thereto shall be housed in buildings or structures of masonry construction, unless otherwise prescribed by law or by the standards of the National Fire Protection Association which are incorporated herein by reference and made a part hereof.
12. Each building or structure housing such facilities and equipment shall be enclosed by a six (6) foot chain link fence, with locked gate, not less than fifteen (15) feet from the outside of such building or structure and a compact hedge not less than six (6) feet in height between such fence and the property line. Said hedge shall not be located closer than twenty-five (25) feet to any street right-of-way. In the event said lot adjoins a Dwelling District, said fence and hedge shall not be located closer to any street right-of-way than the established setback line of said Dwelling District.

~~EI.~~ *Additional Regulations Applicable to Special Use XXXXIV (SU-44) District (G.O. 92, 1994).* In addition to the regulations of Section 2.00 A and B, and Section 2.04 A ~~and B~~ through F, the following regulations shall apply to Special Use District XXXXIV (SU-44):

1. *Permitted Uses.* The only commercial activities permitted in this district shall be:

- ~~a.~~ pari-mutuel wagering on horse races, ~~and~~
- ~~b.~~ providing full service dining facilities

by the holder of a satellite facilities license issued under IC 4-31-5.5.

2. *Development Standards.*

- a. All wagering and food and beverage service shall be conducted entirely inside the facility, which shall be designed so that none of the wagering activities, including bet-taking, video monitors, and odds and contest-result displays, shall be visible to any person at any location outside the facility.
- b. No drive-through service or outside sales shall be permitted.
- c. No outside speakers or video monitors shall be used to advertise or display the contests, odds or other information about the wagering activities conducted within the facility.
- d. Minimum parking of one (1) parking space per employee per largest work shift plus one (1) parking space for each seventy-five (75) square feet of gross area of the facility.
- e. No accessory structures shall be permitted.

f. Lighting of parking area.

- (1) When parking areas are illuminated, the lighting equipment shall provide good visibility with a minimum of direct glare.
- (2) In applying exterior lighting, equipment shall be of an appropriate type and be so located, shielded and directed that the distribution of light is confined to the area to be lighted.
- (3) Objectionable light onto adjacent properties and streets shall be avoided to prevent direct glare or disability glare.
- (4) Lighting levels for outdoor parking areas shall meet the following minimum average maintained horizontal footcandles (as specified in Architectural Graphics Standards, Eighth Edition, Ramsey/Sleeper John Wiley and Sons, Inc., New York, New York). The minimum average maintained horizontal footcandles specified in Architectural Graphics Standards for lighting levels for outdoor parking areas are hereby incorporated into this ordinance by reference and made a part hereof, a copy of which is on file in the office of the Neighborhood and Development Services Division of the Department of Metropolitan Development of Marion County, Indiana and is hereby incorporated by reference and made a part hereof.
- (5) Further, it shall be prohibited to:
 - (a) light an area by the use of stringers or unshielded incandescent lamps in which the entire lamp envelope is designed to function as a light emitter; and
 - (b) make use of attention attracting lighting from any apparatus of any type similar to that used by emergency vehicles.

g. Signs. All signs shall meet the requirements of the Sign Regulations of Marion County, Indiana (71-AO-4, as amended).

3. No use of any land, structure or premises shall be permitted if any portion of the perimeter of the subject lot is located within five hundred (500) feet of the following zoning districts:
 - a. Dwelling Districts,
 - b. Historic Preservation Districts,
 - c. Park Districts,
 - d. University Quarter Districts,
 - e. SU-1 District (Church),
 - f. SU-2 District (School),
 - g. SU-37 District (Library),
 - h. SU-38 District (Community Center).

In addition to the zoning districts noted above, this regulation shall also apply to any portion of the perimeter of a lot containing a church, elementary school, junior high school, high school, as defined in IC 20-10.1-1, college or university regardless of zoning classification.

If such use is a part of or included within an integrated center, the perimeter of the portion thereof or leased space occupied by such use shall be deemed the perimeter of the lot for purposes of the above distance computation.

Sec. 2.05 Construction of Language and Definitions.

A. *Construction of Language.* The language of this ordinance shall be interpreted in accordance with the following regulations:

1. The particular shall control the general.
2. In the case of any difference of meaning or implication between the text of this ordinance and any illustration or diagram, the text shall control.
3. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. A "building" or "structure" includes any part thereof.
6. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", or "occupied for".
7. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and", "or", or "either...or", the conjunction shall be interpreted as follows:
 - a. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
 - b. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 - c. "Either...or" indicates that all the connected items, conditions, provisions, or events shall apply singly but not in combination.

B. *Definitions.*

1. *Administrator.* Administrator of the Neighborhood and Development Services Division or his/her appointed representative. Where the 1400 series of IC-36-7-4 gives authority to perform a function to Commission staff, the administrator, or his/her appointed representative, shall be deemed to be Commission staff.
2. *Building.* Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property of any kind, having a permanent roof supported by columns or walls.
3. *Commission.* The Metropolitan Development Commission of Marion County, Indiana.
4. *Commitment.* An official agreement concerning and running with the land as recorded in the office of the Marion County Recorder.
5. *Condition.* An official agreement between the municipality and the petitioner concerning the use or development of the land as imposed by the Board of Zoning Appeals.
6. *Gross floor area.* The number of the square feet of horizontal floor area of a building measured from the exterior faces of the exterior walls or from the center line of wall separating two abutting buildings.
27. *Hardsurfaced.* Quality of an outer area being solidly constructed of pavement, brick, paving stone, or a combination thereof.
8. *Height building.* The vertical distance above a reference line measured to the highest point of a pitched or hipped roof. The reference line shall be selected by either of the following, whichever yields a greater building height:
 - a. the elevation of the highest adjoining sidewalk or ground surface within a ten (10) foot horizontal distance from and paralleling the exterior wall of the building or structure when said sidewalk or ground surface is not more than ten (10) feet above lowest grade;

- b. an elevation ten (10) feet higher than the lowest grade when said sidewalk or ground surface is more than ten (10) feet above the lowest grade.
9. Legally established or non-conforming reason of building or structure. Any continuous, lawfully established building or structure erected or granted variance of the zoning ordinance, but which fails, by reason of such adoption, revision, amendment or variance, to conform to the present requirements of the zoning district.
10. Legally established non-conforming use. Any continuous, lawful land use having commenced prior to the time of adoption, revision or amendment, or grant a variance of the zoning ordinance but which fails, by reason of such adoption, revision, or amendment, or variance to conform to the present requirements of the zoning district.
- 3 11. Lot line. The legal boundary of a lot as recorded in the office of the Marion County Recorder.
- 4 12. Lot line, front. The lot line(s) coinciding with the street rights-of-way; in the case of a corner lot, both lot lines coinciding with the street rights-of-way shall be considered front lot lines; or, in the case of a through lot, the lot line which most closely parallels the primary entrance to the primary structure shall be considered the front lot line, or so declared by the Administrator.
- 5 13. Lot line, rear. A lot line which is opposite and most distant from the front lot line, or in the case of a triangularly shaped lot, a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line. However, in the case of a corner lot any, any lot line which intersects with a front lot line shall not be considered a rear lot line.
- 6 14. Lot line, side. Any lot line not designated as a front or rear lot line.
- 7 15. Open dumping. A site where refuse is dumped, which due to lack of control may create a breeding place for flies and rats, may catch fire or produce air pollution.
16. Permitted use. Any use by right authorized in a particular zoning district or districts and subject to the restrictions applicable to that zoning district.
- 8 17. Religious use. A land use devoted primarily to divine worship together with reasonably related accessory uses, which are subordinate to and commonly associated with the primary use, which may include but are not limited to, educational, instructional, social or residential uses.
- 9 18. Sanitary landfill. A method of disposing of refuse on land without creating nuisances or hazards to public health, safety, or welfare by utilizing principals of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, covering it with a layer of suitable cover at the conclusion of each day's operation or at more frequent intervals as necessary.
19. Setback. The minimum horizontal distance established by ordinance between a proposed right-of-way line or a lot line and the setback line.
20. Setback line. A line that establishes the minimum distance a building, structure, or portion thereof, can be located from a lot line or proposed right-of-way line.
21. Site plan. The plan, or series of plans, drawn to scale, for one or more lots on which is shown the existing and proposed location and conditions of the lot including as required by the Improvement Location Permit Ordinance, but not limited to: topography, vegetation, drainage, floodplains, marshes, and waterways; open spaces, walkways, means of ingress and egress, utility services, landscaping, buildings, structures, signs, lighting and screening devices, center lines of rights-of-way, and dimensions.
22. Structure. A combining or manipulation of materials to form a construction, erection, alteration or affixation for use, occupancy, or ornamentation, whether located or installed on, above, or below the surface of land or water.
23. Thoroughfare plan. The segment of the Comprehensive Plan for Marion County, Indiana, adopted by the Metropolitan Development Commission of Marion County, Indiana, pursuant to IC-36-7-4 that sets forth the location, alignment, dimensions, identification and classification of

freeways, expressways, parkways, primary arterials, secondary arterials, or other public ways as a plan for the development, redevelopment, improvement, and extension and revision thereof.

~~10-24~~. *Yard, front.* An open space unobstructed to the sky, extended fully across the lot while situated between the front lot line and a line parallel thereto, which passes through the nearest point of any building or structure and terminates at the intersection of any side lot line.

~~11-25~~. *Yard, rear.* An open space unobstructed to the sky extending fully across the lot situated between the rear lot line and a line parallel thereto which passes through the nearest point of any building or structure and terminates at the intersection of any side lot line.

~~12-26~~. *Yard, side.* An open space unobstructed to the sky extending the length of the lot situated between a side lot line and a line parallel thereto which passes through the nearest point of any building or structure and terminates at the point of contact with any rear or front yards or any lot line, whichever occurs first.

CHAPTER III

Sec. 3.00. Severability. If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

Proposal No. 751, 1995 was retitled GENERAL ORDINANCE NO. 204, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 204, 1995
METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 95-AO-13A
THE WELLFIELD PROTECTION ZONING ORDINANCE
OF
MARION COUNTY, INDIANA

AN ORDINANCE to amend the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County which ordinance includes the Wellfield Protection Zoning Ordinance, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana ordinances for the zoning or districting of all lands within the county for the purposes of securing adequate light, air convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Wellfield Protection Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Appendix D, (adopted under Metropolitan Development Commission Docket Number 95-AO-6), be amended as follows:

A. That Section 2.02, A, 1. be amended by inserting the underscored language as follows:

Uses Allowed Only by Special Exception

1. The following table lists the special use, commercial and industrial land uses that are permitted in the W-1 and W-5 districts only upon the grant of a Special Exception, which, when allowed by IC 36-7-4-923, shall be heard under an alternate procedure to be established by the Metropolitan Development Commission which will require such petitions to be referred to a Hearing Officer who is qualified to evaluate contamination risk management and ground water quality protection and who is specifically appointed for such purposes. However, those listed land uses in the W-1 district that,

in their ordinary course of business, have less than the threshold amount of one (1) gallon of liquids in the aggregate or six (6) pounds of water soluble solids in the aggregate and those land uses in the W-5 district that, in their ordinary course of business, have less than the threshold amount of one hundred (100) gallons of liquids in the aggregate or six hundred (600) pounds of water soluble solids in the aggregate on site are excluded from this Special Exception requirement.

B. That Section 2.02, C, 1. be amended by deleting the language noted with strikeouts and inserting the underscored language as follows:

1. A petition for Special Exception to permit any use designated in Sec. 2.02, A, shall be filed in accordance with the:

The Rules of Procedure for the Hearing Officer of the Metropolitan Board of Zoning Appeals for Indianapolis/ Marion County, or

The Rules of Procedure of the Board of Zoning Appeals of the applicable Excluded Cities Rules of Procedure if the petition pertains to real property located in an Excluded City.

SECTION 2. If any section of this ordinance shall be invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 3. This ordinance shall be in full force and effect upon its adoption in compliance with IC 36-7-4.

Proposal No. 752, 1995 was retitled GENERAL ORDINANCE NO. 205, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 205, 1995
METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 95-AO-13B
THE WELLFIELD PROTECTION ZONING ORDINANCE
OF
MARION COUNTY, INDIANA

AN ORDINANCE to amend the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County which ordinance includes the Wellfield Protection Zoning Ordinance, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana ordinances for the zoning or districting of all lands within the county for the purposes of securing adequate light, air convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Wellfield Protection Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Appendix D, (adopted under Metropolitan Development Commission docket Number 95-AO-6), be amended as follows:

A. That Section 4.00 be amended by deleting the language noted with strikeouts and inserting the underscored language as follows:

Section 4.00. Expiration. This ordinance expires on ~~July 1, 1996~~ December 31, 1996.

SECTION 2. If any section of this ordinance shall be invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 3. This ordinance shall be in full force and effect upon its adoption in compliance with IC 36-7-4.

PROPOSAL NO. 531, 1995. The proposal empowers the Board of Capital Asset Management to promulgate rules and regulations concerning the administration of public construction contracts. Councillor Gilmer moved, seconded by Councillor Short, to return Proposal No. 531, 1995 to Committee. This motion passed by unanimous voice vote.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 729, 730, 732, 733, 734, 735, 736, and 737, 1995 on November 8, 1995. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

PROPOSAL NO. 729, 1995. The proposal, sponsored by Councillor Borst and Brents, removes traffic signal at Morris Street and Union Street (Districts 16, 25). PROPOSAL NO. 730, 1995. The proposal, sponsored by Councillor Borst, removes traffic signal at Palmer Street and Union Street (District 25). Councillor Gilmer moved, seconded by Councillor Borst, for adoption. Proposal Nos. 729 and 730, 1995 were adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Shambaugh, Smith, Tilford, West, Williams*

0 NAYS:

2 NOT VOTING: *SerVaas, Short*

2 ABSENT: *Moriarty Adams, Schneider*

Proposal No. 729, 1995 was retitled GENERAL ORDINANCE NO. 206, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 206, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 16	Morris St, Union St	None	Signal

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 16	Morris St, Union St	Morris St	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 730, 1995 was retitled GENERAL ORDINANCE NO. 207, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 207, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 17	Palmer St, Union St	None	Signal

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 17	Palmer St, Union St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 732, 1995. The proposal, sponsored by Councillor Rhodes, authorizes a multi-way stop at 68th Street and Riley Avenue (District 7). PROPOSAL NO. 733, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Brookville Road and Worcester Avenue (District 15). PROPOSAL NO. 734, 1995. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at Caven Street and Kennington Street (District 21). PROPOSAL NO. 735, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Drexel Avenue and 13th Street (District 15). Councillor Gilmer moved, seconded by Councillor Short, for adoption. Proposal Nos. 732, 733, 734, and 735, 1995 were adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West, Williams*

0 NAYS:

1 NOT VOTING: *Short*

2 ABSENT: *Moriarty Adams, Schneider*

Proposal No. 732, 1995 was retitled GENERAL ORDINANCE NO. 208, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 208, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 8	68th St, Riley Av	Riley Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 8	68th St, Riley Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 733, 1995 was retitled GENERAL ORDINANCE NO. 209, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 209, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 9	Brookville Rd, Worcester Av	Brookville Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 9	Brookville Rd, Worcester Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 734, 1995 was retitled GENERAL ORDINANCE NO. 210, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 210, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 9	Caven St, Kennington St	Caven St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 735, 1995 was retitled GENERAL ORDINANCE NO. 211, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 211, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 15	Drexel Av 13th St	Drexel Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 15	Drexel Av 13th St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 736, 1995. The proposal, sponsored by Councillors Brents, Shambaugh, Gray, and Gilmer, authorizes parking restrictions on Lafayette Road on both sides from 16th Street to

I-65 (Districts 16, 8, 9, 1). PROPOSAL NO. 737, 1995. The proposal, sponsored by Councillor Williams, removes parking restrictions on Alabama Street from a point 70 feet south of St. Joseph Street to a point 50 feet north of St. Joseph Street (District 22). Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal Nos. 736 and 737, 1995 were adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, West, Williams*

0 NAYS:

1 NOT VOTING: *Short*

2 ABSENT: *Moriarty Adams, Schneider*

Proposal No. 736, 1995 was retitled GENERAL ORDINANCE NO. 212, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 212, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

Lafayette Road, on both sides,
from Sixteenth Street to I-65

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 737, 1995 was retitled GENERAL ORDINANCE NO. 213, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 213, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-267, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby, amended by the deletion of the following, to wit:

Alabama Street, on the east side,
from a point 70 feet south of St. Joseph Street
to a point 50 feet north of St. Joseph Street

Alabama Street, on the west side,
from a point 50 feet south of St. Joseph Street
to a point 70 feet north of St. Joseph Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Beadling in memory of Jerry Daniels; and
- (2) Councillor Boyd in memory of Dewitt Banks, Charles Holifield, Virginia Langley, and Willard B. Ransom.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Jerry Daniels, Dewitt Banks, Charles Holifield, Virginia Langley, and Willard B. Ransom. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:22 p.m.

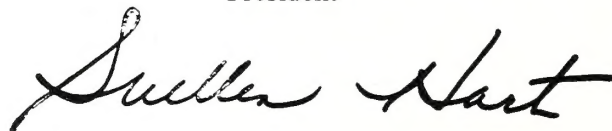
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 20th day of November, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, DECEMBER 11, 1995**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:18 p.m. on Monday, December 11, 1995, with Councillor SerVaas presiding.

Councillor SerVaas led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams
1 ABSENT: Jones

A quorum of twenty-eight members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Black introduced Alice Ross, Caroline Farrar, Mary Walker, M.L. Coleman, and Helga Behroozi, friends from the Northside. Councillor Golc acknowledged the group from Stringtown whom he would be introducing concerning the feticide resolution.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, December 11, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

November 28, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on Thursday, November 30, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 724, 725, 753, 754, 756, 760, 761, 762, 763, and 782 to be held on December 11, 1995 at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

November 28, 1995

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

FISCAL ORDINANCE NO. 123, 1995: an appropriation of \$72,000 for the Department of Parks and Recreation, Golf Division, to pay for security fencing around the perimeter of the Coffin Golf Course financed by revenues from the Park General/Golf Fund

FISCAL ORDINANCE NO. 125, 1995: an appropriation of \$20,357 for the Prosecuting Attorney to purchase audio/visual equipment to be used in child abuse cases financed by a state grant

FISCAL ORDINANCE NO. 126, 1995: an appropriation of \$350,259 for the Community Corrections Agency to pay for home detention personnel, equipment, and supply expenses financed by revenues from the Home Detention User Fee Fund

FISCAL ORDINANCE NO. 127, 1995: an appropriation of \$128,134 for the Prosecuting Attorney to continue the Victim Advocate Project financed by state and federal grants

FISCAL ORDINANCE NO. 128, 1995: an appropriation of \$100,000 for the Department of Administration, Real Estate Division, for city- owned property management and maintenance financed by a transfer within the division's Consolidated County Fund

FISCAL ORDINANCE NO. 129, 1995: an appropriation of \$34,302 for the Office of Youth and Family Services to provide neighborhood-based primary health care services financed by a transfer within the agency's Consolidated County Fund

FISCAL ORDINANCE NO. 130, 1995: an appropriation of \$138,345 for the Department of Metropolitan Development, Divisions of Planning and Neighborhood and Development Services, to purchase computers, financed by transfers within the divisions' Metropolitan Development General Fund

December 11, 1995

FISCAL ORDINANCE NO. 131, 1995: reduces \$625,000 from the Department of Parks and Recreation's Park General Fund as part of the financing for the 1996 annual budget

GENERAL ORDINANCE NO. 202, 1995: amends the Revised Code pertaining to the Information Services Board, Agency

GENERAL ORDINANCE NO. 206, 1995: removes traffic signal at Morris Street and Union Street (Districts 16, 25)

GENERAL ORDINANCE NO. 207, 1995: removes traffic signal at Palmer Street and Union Street (District 25)

GENERAL ORDINANCE NO. 208, 1995: authorizes a multi-way stop at 68th Street and Riley Avenue (District 7)

GENERAL ORDINANCE NO. 209, 1995: authorizes a multi-way stop at Brookville Road and Worcester Avenue (District 15)

GENERAL ORDINANCE NO. 210, 1995: authorizes a multi-way stop at Caven Street and Kennington Street (District 21)

GENERAL ORDINANCE NO. 211, 1995: authorizes a multi-way stop at Drexel Avenue and 13th Street (District 15)

GENERAL ORDINANCE NO. 212, 1995: authorizes parking restrictions on Lafayette Road on both sides from 16th Street to I-65 (Districts 16, 8, 9, 1)

GENERAL ORDINANCE NO. 213, 1995: removes parking restrictions on Alabama Street from a point 70 feet south of St. Joseph Street to a point 50 feet north of St. Joseph Street (District 22)

SPECIAL RESOLUTION NO. 88, 1995: recognizes students Stephen Irons and Joseph "Joe" McIntosh

SPECIAL RESOLUTION NO. 89, 1995: recognizes the Ben Davis Cross Country Team State Champions

SPECIAL RESOLUTION NO. 90, 1995: recognizes Bob Gregory's Coats for Kids Program

SPECIAL RESOLUTION NO. 91, 1995: recognizing Reverend Dr. Andrew J. Brown

SPECIAL RESOLUTION NO. 92, 1995: amends S.R. No. 78, 1994, as amended, by extending the expiration date for Post Pointe Partners, Ltd, through June 30, 1996 at 9027 East 39th Place (District 14)

SPECIAL RESOLUTION NO. 93, 1995: an inducement resolution for Crossing Partners, L.P., in an amount not to exceed \$7,700,000 to proceed with the acquisition, renovation and equipping of the existing 240 unit multi-family residential rental facility located at 4000 North Franklin Road (District 12)

GENERAL RESOLUTION NO. 10, 1995: approves the issuance of Redevelopment District General Obligation Bonds not to exceed \$3,040,000

GENERAL RESOLUTION NO. 11, 1995: approves the issuance of Flood Control District General Obligation Bonds not to exceed \$2,060,000

GENERAL RESOLUTION NO. 12, 1995: approves the issuance of Sanitary District General Obligations Bonds not to exceed \$5,875,000

GENERAL RESOLUTION NO. 13, 1995: approves the issuance of Sanitary District Refunding Bonds not to exceed \$33,500,000

SPECIAL ORDINANCE NO. 18, 1995: authorizes the execution of an Assignment and Assumption of Loan Agreement and other related documents concerning the previously issued \$2 million City of Indianapolis Health Care Facility Revenue Bond, Series A (Castleton Nursing Home Project) at 7630 East 86th Street (District 4)

SPECIAL ORDINANCE NO. 19, 1995: authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$5 million for Pleasant Run Children's Homes, Inc. at 2400 North Tibbs Avenue (District 16)

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of November 20, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 804, 1995. The proposal, sponsored by Councillor Coughenour, recognizes Michael B. Stayton. Councillor Coughenour read the proposal and moved for its adoption. Councillor Giffin seconded the motion, and it was adopted by unanimous voice vote. Councillor Coughenour presented Mr. Stayton and his wife with Council pins and a copy of the resolution. Mr. Stayton expressed his appreciation for this tribute and thanked the Mayor, the Council, the employees of the Department of Public Works and his wife Carol for their support.

Proposal No. 804, 1995 was retitled SPECIAL RESOLUTION NO. 94, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 94, 1995

A SPECIAL RESOLUTION recognizing Michael B. Stayton.

WHEREAS, Michael B. Stayton served as Director of the Indianapolis Department of Public Works from 1993 to 1995; and

WHEREAS, he is a graduate of Wabash College and George Washington University, and before coming to the Department of Public Works spent twenty years in the private sector with the Ford Motor Company and in the venture capital business in Toronto, New York and Indianapolis; and

WHEREAS, he managed Indianapolis' Enterprise Development Group which is the catalyst for the City's competitive initiatives; and

WHEREAS, Mr. Stayton was directly responsible for developing over \$50 million in competitive projects in the DPW, including the privatization of the City's two wastewater plants, and most recently managed the privatization of the Indianapolis International Airport in September; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the service of Michael B. Stayton as Director of the City's Department of Public Works.

SECTION 2. The Council wishes him well in his future endeavors.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 805, 1995. The proposal, sponsored by Councillors SerVaas, McClamroch and Boyd, recognizes the public service of Councillor Linda Beadling. Councillor McClamroch read the proposal and moved for its adoption. Councillor Curry seconded the motion, and Proposal No. 805, 1995 was adopted by unanimous voice vote.

Proposal No. 805, 1995 was retitled SPECIAL RESOLUTION NO. 95, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 95, 1995

A SPECIAL RESOLUTION recognizing the public service of Councillor Linda Beadling.

WHEREAS, maintaining a democracy rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective public office with its attendant commitments of self, time and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Linda Beadling has, with integrity and sincerity, served her constituents in the 5th District and the people of Indianapolis well from 1992 through 1995; and

WHEREAS, Councillor Beadling served as a valued member on several committees including Public Works, Capital Asset Management and Municipal Corporations; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the four (4) years of dedicated service given by Councillor Linda Beadling as a member of the Council.

SECTION 2. The Council, on behalf of the citizens of Indianapolis, extends its appreciation and gratitude to Councillor Beadling, and encourages her continued active participation in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 806, 1995. The proposal, sponsored by Councillors SerVaas, McClamroch and Boyd, recognizes the public service of Councillor Ken Giffin. Councillor McClamroch read the proposal and moved for its adoption. Councillor Curry seconded the motion, and Proposal No. 806, 1995, was adopted by unanimous voice vote.

Proposal No. 806, 1995, was retitled SPECIAL RESOLUTION NO. 96, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 96, 1995

A SPECIAL RESOLUTION recognizing the public service of Councillor Ken Giffin.

WHEREAS, maintaining a democracy rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective public office with its attendant commitments of self, time and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Ken Giffin has, with integrity and sincerity, served his constituents in the 19th District and the people of Indianapolis well during interrupted terms from 1972 through 1995; and

WHEREAS, Councillor Giffin served as Chairman of the Parks and Recreation Committee, as a valued member of the Economic Development and Municipal Corporations Committees and in many other important posts; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the sixteen (16) years of dedicated service given by Councillor Ken Giffin as a member of the Council.

SECTION 2. The Council, on behalf of the citizens of Indianapolis, extends its appreciation and gratitude to Councillor Giffin, and encourages his continued active participation in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 807, 1995. The proposal, sponsored by Councillors SerVaas, McClamroch, and Boyd, recognizes the public service of Councillor Z. Mae Jimison. Councillor Boyd read the proposal and moved for its adoption. Councillor Moriarty seconded the motion, and Proposal No. 807, 1995 was adopted by unanimous voice vote.

Proposal No. 807, 1995 was retitled SPECIAL RESOLUTION NO. 97, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 97, 1995

A SPECIAL RESOLUTION recognizing the public service of Councillor Z. Mae Jimison.

WHEREAS, maintaining a democracy rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective public office with its attendant commitments of self, time and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Z. Mae Jimison has, with integrity and sincerity, served her constituents in the 14th District and the people of Indianapolis well from 1992 through 1995; and

WHEREAS, Councillor Jimison served on the Council's important Public Safety and Criminal Justice, and Administration and Finance Committees, and won forty (40) percent of the most recent Mayoral vote; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the four (4) years of dedicated service given by Councillor Z. Mae Jimison as a member of the Council.

SECTION 2. The Council, on behalf of the citizens of Indianapolis, extends its appreciation and gratitude to Councillor Jimison, and encourages her continued active participation in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 808, 1995. The proposal, sponsored by Councillors SerVaas, McClamroch, and Boyd, recognizes the public service of Councillor Timothy M. Mullin. Councillor Boyd

read the proposal and moved for its adoption. Councillor Moriarty seconded the motion, and Proposal No. 808, 1995 was adopted by unanimous voice vote.

Proposal No. 808, 1995 was retitled SPECIAL RESOLUTION NO. 98, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 98, 1995

A SPECIAL RESOLUTION recognizing the public service of Councillor Timothy M. Mullin.

WHEREAS, maintaining a democracy rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective public office with its attendant commitments of self, time and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Timothy M. Mullin has, with integrity and sincerity, served his constituents in the 20th District and the people of Indianapolis well from 1992 through 1995; and

WHEREAS, Councillor Mullin served on the Council's important Public Safety and Criminal Justice, Capital Asset Management and Economic Development Committees; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the four (4) years of dedicated service given by Councillor Timothy M. Mullin as a member of the Council.

SECTION 2. The Council, on behalf of the citizens of Indianapolis, extends its appreciation and gratitude to Councillor Mullin, and encourages his continued active participation in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 809, 1995. The proposal, sponsored Councillors SerVaas, McClamroch, Boyd, and Coughenour, recognizes the public service of Councillor Stuart W. Rhodes. Councillor SerVaas read the proposal and moved for its adoption. Councillor Coughenour seconded the motion, and Proposal No. 809, 1995 was adopted by unanimous voice vote.

Proposal No. 809, 1995 was retitled SPECIAL RESOLUTION NO. 99, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 99, 1995

A SPECIAL RESOLUTION recognizing the public service of Councillor Stuart W. Rhodes.

WHEREAS, maintaining a democracy rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective public office with its attendant commitments of self, time and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Stuart W. Rhodes has, with integrity and sincerity, served his constituents in the 7th District and the people of Indianapolis well from 1980 through 1995; and

WHEREAS, Councillor Rhodes served as Chairman of the Council's important Administration and Finance Committee, and as a member of the Parks and Recreation and the Public Works Committees; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the sixteen (16) years of dedicated service given by Councillor Stuart W. Rhodes as a member of the Council.

SECTION 2. The Council, on behalf of the citizens of Indianapolis, extends its appreciation and gratitude to Councillor Rhodes, and encourages his continued active participation in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 810, 1995. The proposal, sponsored by Councillors SerVaas, McClamroch, Boyd, and Coughenour, recognizes the public service of Councillor Stephen R. West. Councillor SerVaas read the proposal and moved for its adoption. Councillor Coughenour seconded the motion, and Proposal No. 810, 1995, was adopted by unanimous voice vote. Alice Ross and John Purcell, Northside neighborhood leaders, also voiced their appreciation for Councillor West's service to the community.

Proposal No. 810, 1995 was retitled SPECIAL RESOLUTION NO. 100, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 100, 1995

A SPECIAL RESOLUTION recognizing the public service of Councillor Stephen R. West.

WHEREAS, maintaining a democracy rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective public office with its attendant commitments of self, time and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, from 1972 through 1995 City-County Councillor Stephen R. West has, with integrity and sincerity, served his constituents well in the old 6th District and later countywide as an At-Large Councillor; and

WHEREAS, Councillor West has held the post of Majority Leader, has been serving as Chairman of the Council's important Metropolitan Development Committee, and as a member of the Public Safety and Criminal Justice and the Community Affairs Committees; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the twenty-four (24) years of hard working and dedicated service given by Councillor Stephen R. West as a member of the Council.

SECTION 2. The Council, on behalf of the citizens of Indianapolis, extends its appreciation and gratitude to Councillor West, and encourages his continued active participation in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The President gave the departing Councillors an opportunity to respond. Each Councillor expressed appreciation for the recognition. Councillor Hinkle asked that the family and friends in attendance supporting these Councillors also stand and be recognized.

Councillor Boyd moved that the Indianapolis City-County Council send correspondence to the Mayor's office asking for the status of those administrative or cabinet level appointments in which the Council and the Mayor have partnership appointing responsibility, but which as of this date have not yet been consummated by the Council. These would include, but not necessarily be limited to, at least one or two deputy mayor positions, the head of the Department of Metropolitan Development, the Public Works and Capital Asset Management Department heads, the Director of Housing and the Director of the Parks Department. The motion was seconded by Councillor Williams and was adopted by unanimous voice vote.

PROPOSAL NO. 811, 1995. The proposal, sponsored by Councillors Golc and Mullin, urges the Legislature to increase the penalty for feticide. Councillor Golc introduced Melanie Knox and Kevin Elmore and explained the incident in which they were involved that prompted this proposal. Councillor Golc read the proposal and moved for its adoption. The motion was seconded by Councillor Mullin, and Proposal No. 811, 1995 was adopted by unanimous voice vote.

Proposal No. 811, 1995 was retitled SPECIAL RESOLUTION NO. 101, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 101, 1995

A SPECIAL RESOLUTION urging the Legislature to increase the penalty for feticide.

WHEREAS, feticide, as defined in IC 35-42-1-6, is when a person knowingly or intentionally terminates a human pregnancy with an intention other than to produce a live birth or to remove a dead fetus, except an abortion performed in accordance with state law; and

WHEREAS, under current state law a conviction for committing such an action is designated as a Class C felony, which basically is a four (4) year prison term and a fine of up to ten thousand dollars (\$10,000); and

WHEREAS, in the opinion of many, feticide is a particularly heinous crime that is committed upon defenseless children in their earliest stages of life; and

WHEREAS, a more fair and equitable parity of crime versus punishment for conviction of feticide would be a Class A felony charge under IC 35-50-2-4, with its penalty of 30 years plus a fine; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council and the people of Indianapolis hold such fundamentals as pregnancy, birth, life and civility in high regard, and in the particularly reprehensible category of feticide, urge the Indiana General Assembly to increase the penalty from its current Class C felony to a more fitting Class A felony classification.

SECTION 2. The Council directs that a copy of this Special Resolution be distributed to all Marion County Legislators and to the Governor.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 812, 1995. The proposal, sponsored by Councillor Borst, concerns Purdue University. Councillor Borst read the proposal and introduced Tom Carroll, President of the Purdue Association of Indianapolis and a member of the Board of Purdue Alumni Association, who expressed his appreciation on behalf of the University for this recognition. Councillor Borst moved, seconded by Councillor West, for adoption. Proposal No. 812, 1995 was adopted by unanimous voice vote.

Proposal No. 812, 1995 was retitled SPECIAL RESOLUTION NO. 102, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 102, 1995

A SPECIAL RESOLUTION concerning Purdue University.

WHEREAS, Purdue University is one of the nation's largest and finest institutions of higher education; and

WHEREAS, much of our city's and state's economic development success has had involvement of Purdue University; and

WHEREAS, Purdue University student athletes have some of the highest graduation rates in the country; and

WHEREAS, the men's and women's basketball teams are the two-time defending Big Ten champs, and are nationally ranked; and

WHEREAS, the Boilermaker Blockbuster will culminate Purdue University Week in Indianapolis with the men playing Texas Christian University and the women taking on the 1996 U.S. Women's Olympic Team at Market Square Arena on Saturday, December 16; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council welcomes Purdue University to Indianapolis during the week of December 11-16, 1995.

SECTION 2. The Council recognizes Purdue for its local, state, national and international contributions.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 775, 1995 Councillor Borst reported that the Economic Development Committee heard Proposal No. 775, 1995 on November 16, 1995 and again on December 7, 1995. The proposal is a special resolution for The Malachi Corporation, Inc., consenting to the City of Lawrence, Indiana issuing its economic development revenue bonds in an amount not to exceed \$6,500,000 for the acquisition, renovation and equipping of the four existing nursing homes located at 1747 North Rural Street, 901 North East Street, 1118 East 46th Street, and 1910 North Delaware Street (Districts 6, 22). By a 6-1 vote, the Committee reported the proposal to the Council for action without recommendation as amended.

Councillor Borst explained the steps The Malachi Corporation ("Corporation") had taken in first seeking bonds from the City of Indianapolis, and their learning of the City's strict policy regarding credit enhancement criteria. The Malachi Corporation would have to pay about \$200,000 to meet the criteria and still not be assured of being awarded the bonds. The Economic Development Commission ("Commission") recommended they go to someone else to seek the bonds; therefore, they went to the City of Lawrence who agreed to help based upon the Council's consent. Lawrence does not have the regulations that the City has. Councillor Borst detailed information about the nursing homes in particular and explained the Corporation's need for a revenue stream in order to subsidize their charity inner-city activities. He explained that the present management company for these nursing homes would stay in place for the next five years should Malachi be awarded the bonds.

Councillor Borst explained the votes taken by the Committee which had failed: 1) motion for Do Pass (failed 2-5), and 2) motion to Strike (failed, no second). The Committee voted to report the proposal to the Council for action without recommendation as amended by a 6-1 vote.

Councillor West asked to hear from James Crawford, Counsel to the Indianapolis Economic Development Commission, regarding the Commission's policy in referring projects like this to other communities. Mr. Crawford explained the credit analysis and the Commission's policy requiring some type of credit enhancement, such as a letter of credit or a bond insurer, in order to protect the bond holders. He explained that the Corporation feels they have sufficient debt coverage and stated that based on their numbers they did indeed have very good coverage. Mr. Crawford explained that the Corporation did not feel that they wanted to go to the extra expense to acquire the credit enhancement needed, but instead looked to see where else they could have bonds issued. The City of Lawrence has the authority to issue the bonds, and this resolution says that Indianapolis is consenting for the City of Lawrence to take a look at the bonds and decide whether or not they will issue the bonds.

Councillor West expressed his opinion that Indianapolis' policy should be changed. Mr. Crawford agreed that after these discussions, it would probably be re-evaluated.

Councillor Smith expressed his concern that the Corporation had submitted un-audited numbers and his fear that the money may leave Indianapolis and go to Chicago or New Orleans, where Malachi has other operations. He stated his understanding of Malachi's non-profit activities, but felt they were cutting corners and venturing into a new avenue, which does not make him feel comfortable with this project. Councillor Smith feels that Indianapolis' policy for some type of credit enhancement is valid and needed, and stated that he could not be in support of this project at this time.

Councillor Curry moved for adoption of Proposal No. 775, 1995, which was seconded by Councillor Boyd. Councillor Curry then referred to Councillor West's comments regarding questioning the City's policy and added that those policies and laws also provided that corporations could seek approval through other avenues. He asked the Council to consider three questions in determining their vote:

1. Would the Council be doing anything negative to the citizens of Marion County that they represent? (He feels they would not.)
2. Should the Council facilitate the meeting of a willing seller and a willing buyer, such that a business transaction can occur where it's been represented

that the current owner of the nursing homes wishes to sell and move on?
(He feels that facilitating that is a good thing to do.)

3. In the course of that facilitation, is the Council maintaining a number of jobs and necessary nursing home beds in the community to provide service? (He feels that they would be.)

Councillor Black, whose district contains one of the nursing homes involved in this proposal, moved to table the proposal. The motion was seconded by Councillor Gray. Councillor Borst expressed his preference to vote against tabling due to this being the last meeting and the proposal dying as a result of tabling. He feels that if his vote was in err, he would rather err in the favor of this transaction, seeing that there was a buyer and a seller, than against it.

Councillor Franklin also expressed his concern that The Malachi Corporation had come to them with an un-audited financial statement. Councillor Williams stated that she did not want to vote against it because of her questions about the policy, but for the reasons outlined by other Councillors, she really does not feel comfortable voting for it either.

Mr. Crawford introduced Ted Esping, bond counsel for The Malachi Corporation, who responded to questions raised by Council members. Mr. Esping explained that the numbers they have presented are audited, in a far more significant manner than a normal audit. The nursing homes are not private-pay homes, and accurate financial statements must be submitted to Medicare and Medicaid administrators by State law. The industry recognizes the significance of Medicare/Medicaid examinations and audits, and an audit by a certified public accounting firm is not usually necessary. Mr. Esping added that the financial statements had in fact been audited by the underwriting firm that proposes to underwrite these securities. He explained that in response to the Commission's policy, Malachi investigated various credit enhancement agencies, principally LaSalle in Chicago, and received affirmation that Malachi's financing was fine from their perspective. The nursing homes are financially solid and can support this debt, and the coverage is viewed as better than average in this industry. Mr. Esping assured the Council that The Malachi Corporation is very serious about introducing their non-profit inner-city activities into the Indianapolis area, and that the revenue produced from the nursing homes most likely will remain in this City. Mr. Esping encouraged the Council to vote in favor of the proposal.

Councillor Gilmer stated that based on the proven management team and history of the actual nursing homes and the absence of liability to Indianapolis, he would support this proposal.

The President called for a vote on the motion to table. The motion failed on the following roll call vote; viz:

14 YEAS: Beadling, Black, Boyd, Brents, Gray, Jimison, Mullin, O'Dell, Rhodes, Short, Smith, Tilford, West, Williams

14 NAYS: Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, McClamroch, Moriarty Adams, Schneider, SerVaas, Shambaugh

0 NOT VOTING:

1 ABSENT: Jones

The President asked Mr. Crawford to begin negotiations in re-evaluating the City's policy regarding the requirement of credit enhancement in order to issue bonds.

The President called for a vote on the motion to adopt. Proposal No. 775, 1995, as amended, was adopted on the following roll call vote; viz:

15 YEAS: Borst, Boyd, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Hinkle, McClamroch, Moriarty Adams, Rhodes, Schneider, SerVaas, Shambaugh

13 NAYS: Beadling, Black, Brents, Franklin, Gray, Jimison, Mullin, O'Dell, Short, Smith, Tilford, West, Williams

0 NOT VOTING:

1 ABSENT: Jones

Proposal No. 775, 1995 as amended, was retitled SPECIAL RESOLUTION NO. 103, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 103, 1995

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") authorizes the issuance of revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, The Malachi Corporation, Inc. (the "Company"), has advised the Indianapolis Economic Development Commission and the City of Indianapolis, Indiana that it proposes that the City of Lawrence, Indiana either acquire certain economic development facilities and sell or lease the same to Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities consist of the acquisition, renovation and equipping of the following four existing nursing homes located in Indianapolis, Indiana (1747 North Rural Street), Riley Health Care (901 North East Street), Crestview Health Care (1118 East 46th Street) and Delaware Health Care (1910 North Delaware Street); the acquisition of machinery, equipment and furnishings for use in the facilities; and the acquisition, construction and installation of various site improvements at the facilities (the "Project");

WHEREAS, IC 36-7-12-22(a) provides that a unit of government and its economic development commission have jurisdiction under the Act throughout the county in which it is located both inside and outside the corporate boundaries of any municipality;

WHEREAS, IC 36-7-12-22(b) provides that "... economic development facilities that are to be located outside the corporate boundaries of a municipality may not be financed by the municipality without the consent of the fiscal body of the unit in which facilities are to be located;

WHEREAS, the Project to be financed by the City of Lawrence, Indiana is located within the boundaries of the City of Indianapolis, Indiana; and

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (one hundred forty-two (142) jobs) plus the creation of a construction job payroll and the creation of business opportunities to be achieved by the acquisition, renovation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the City of Indianapolis, Indiana and the City of Lawrence, Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. As the fiscal body of the unit in which the facilities are to be located, it gives consent to the financing of the Project by the City of Lawrence, Indiana utilizing economic development revenue bonds issued pursuant to the Act by the City of Lawrence, Indiana in the approximate principal amount of Six Million Five Hundred Thousand Dollars (\$6,500,000) (the "Bonds"). This consent is expressly conditioned upon the Company entering into a binding agreement in which it agrees that it, or its assignees, will make tax payments or payments in lieu of taxes as if it were paying taxes for the tax assessment periods during which any of the Bonds (or refunding bonds for the Bonds) remain outstanding with such payments to be

equal to the real estate and personal property taxes which would be due on the Project if the Project was not owned by a 501(c)(3) entity.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 813, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 813, 1995 on December 7, 1995. The proposal amends S.R. No. 84, 1990 as amended, by extending the expiration date for Meadows Revival, Inc. through July 31, 1996 at 38th Street and Meadows Drive (District 11). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Golc, for adoption. Proposal No. 813, 1995 was adopted on the following roll call vote; viz:

21 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, SerVaas, Shambaugh, Smith, Tilford, Williams

0 NAYS:

7 NOT VOTING: Beadling, Giffin, Gilmer, Rhodes, Schneider, Short, West

1 ABSENT: Jones

Proposal No. 813, 1995 was retitled SPECIAL RESOLUTION NO. 104, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 104, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 80, 1990, as amended, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 80, 1990, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Meadows Revival, Inc. (the "Company") which Inducement Resolution set an expiration date of December 31, 1995 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1995, contained therein and replacing said date with the date of July 31, 1996.

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 814, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 814, 1995 on December 7, 1995. The proposal authorizes the execution of a First Amendment to Trust Indenture and First Amendment to Loan Agreement concerning the previously issued \$12,300,000 City of Indianapolis, Indiana Multi-Family Housing Revenue Refunding Bonds (Canal Square Project) at 402 West New York Street (District 16). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal No. 814, 1995 was adopted on the following roll call vote; viz:

22 YEAS: Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Smith, Tilford, Williams

0 NAYS:

6 NOT VOTING: Beadling, Coughenour, Gray, Schneider, Short, West

1 ABSENT: Jones

Proposal No. 814, 1995 was retitled SPECIAL ORDINANCE NO. 20, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 20, 1995

A SPECIAL ORDINANCE approving the execution of a First Amendment to Trust Indenture and a First Amendment to Loan Agreement relating to the previously issued City of Indianapolis, Indiana Multi-Family Housing Revenue Refunding Bonds (Canal Square Project) Series 1989 and approving and authorizing other actions in respect thereto.

WHEREAS, the Indiana Code, Title 36, Article 7, Chapters 11.9 and 12 and Indiana Code, Title 5, Article 1, Chapter 5 (collectively, the "Act"), has been enacted by the General Assembly of Indiana; and

WHEREAS, the Act declares that the financing of economic development facilities and refunding of such financings constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may pursuant to the Act issue revenue bonds and lend the proceeds thereof to a corporation for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, Bank One, Indianapolis, N.A., as Trustee (the "Trustee") and the City of Indianapolis, Indiana (the "Issuer") entered into a Trust Indenture dated as of January 1, 1989 (the "Original Indenture"), pursuant to which the Issuer issued and sold \$12,300,000 in principal amount of revenue bonds designated "Multi-Family Housing Revenue Refunding Bonds (Canal Square Project) Series 1989" (the "Bonds");

WHEREAS, the Issuer and Canal Square Limited Partnership, an Indiana limited partnership (the "Company") entered into a Loan Agreement dated as of January 1, 1989 (the "Original Loan Agreement"), pursuant to which the Issuer lent the Company the proceeds of the Bonds (the "Original Loan Agreement"); and

WHEREAS, the Issuer, the Company, the Trustee and Societe Generale, a Houston agency (the "Bank") desire to amend the Original Loan Agreement to permit the purchase of the Bonds in lieu of a redemption or an acceleration; and

WHEREAS, Sections 13.01 and 13.02 of the Original Indenture permits amendments to the Indenture with the consent of the Bank and the Company; and

WHEREAS, Section 13.03 of the Original Indenture permits amendments to the Loan Agreement with the consent of the Trustee and the Bank; and

WHEREAS, the Issuer and the Trustee will enter into a First Amendment to Trust Indenture dated as of December 1, 1995 (the "First Amendment to Trust Indenture") and the Issuer and the Company will enter into a First Amendment to Loan Agreement dated as of December 1, 1995 (the "First Amendment to Loan Agreement"); and

WHEREAS, the Indianapolis Economic Development Commission on December 6, 1995 adopted a Resolution, which Resolution has been previously transmitted hereto finding that the execution of the First Amendment to Trust Indenture and First Amendment to Loan Agreement in the form presented at that meeting complies with the purposes and provisions of the Act and that such execution will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the form of the First Amendment to Trust Indenture and First Amendment to Loan Agreement by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; NOW, THEREFORE:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the execution of the First Amendment to Trust Indenture and First Amendment to Loan Agreement will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the First Amendment to Trust Indenture and First Amendment to Loan Agreement approved by the Indianapolis Economic Development Commission are hereby approved and shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City-Controller. Two (2) copies of the First Amendment to Trust Indenture and First Amendment to Loan Agreement are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Mayor and City Clerk are authorized and directed to execute the First Amendment to Trust Indenture and First Amendment to Loan Agreement approved herein and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed, on behalf of the City of Indianapolis. The Mayor and City Clerk may by their execution of the First Amendment to Trust Indenture and First Amendment to Loan Agreement approve changes therein and also in any documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Commission if such changes do not affect terms set forth in IC 36-7-12-27(a)(1) through (a)(10).

SECTION 4. The Issuer authorizes and consents to the assignment by the Company of its interest in the Project, so long as the assignee assumes in writing all of the Company's obligations under the Original Loan Agreement and the Original Indenture.

SECTION 5. The provisions of this ordinance, the First Amendment to Trust Indenture and First Amendment to Loan Agreement shall constitute a contract binding between the City of Indianapolis and the parties to the First Amendment to Trust Indenture and First Amendment to Loan Agreement and after the execution of the First Amendment to Trust Indenture and First Amendment to Loan Agreement, this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such party so long as said First Amendment to Trust Indenture and First Amendment to Loan Agreement shall remain in effect.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 815, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 815, 1995 on December 7, 1995. The proposal authorizes the issuance of economic development revenue refunding bonds in an aggregate principal amount not to exceed \$19,000,000 for Lockefield Associates at Indiana Avenue from Blackford Street to Agnes Street (District 16). Chairman SerVaas noted for the record that Agnes Street should read University Boulevard. By a 7-0 vote, the Committee reported the proposal to the Council with

the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Smith, for adoption. Proposal No. 815, 1995 was adopted on the following roll call vote; viz:

Councillor Rhodes stated that he would abstain from voting due to a conflict of interest, as he is an investor in this project.

25 YEAS: Beadling, Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, Williams

0 NAYS:

NOT VOTING: Coughenour, Rhodes, West

1 ABSENT: Jones

Proposal No. 815, 1995 was retitled as SPECIAL ORDINANCE NO. 21, 1995, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 21, 1995

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its City of Indianapolis Economic Development Revenue Refunding Bonds (Lockefield Associates Project), Series 1995A and City of Indianapolis Economic Development Revenue Refunding Bonds (Lockefield Associates Project), Taxable Series 1995B, in the total aggregate principal amount not to exceed Nineteen Million Dollars (\$19,000,000), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 and Indiana Code Title 5, Article 1, Chapter 5 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, the Issuer has heretofore issued its \$19,000,000 City of Indianapolis Economic Development Revenue Bonds, Series 1985 (Lockefield Associates Project) (the "Original Bonds"), pursuant to a Trust Indenture, dated as of December 1, 1985 (the "Original Indenture"), between the Issuer and Bank One, Indianapolis, NA (as successor by merger to American Fletcher National Bank and Trust Company), as trustee (the "Original Trustee"), the proceeds of which were used to fund a loan (the "Original Loan") made to Lockefield Associates (the "Borrower") to provide permanent financing for a multifamily residential project (a portion of which is for rental to persons of low and moderate income) located along the south side of Indiana Avenue from Blackford Street at the east to Agnes Street at the west in Indianapolis, Indiana, known as Lockefield Apartments (the "Project");

WHEREAS, the Borrower has requested that the City of Indianapolis, Indiana (the "Issuer") provide for refinancing of the Project by providing for the refunding of the Original Bonds, and the Issuer has determined that such refinancing will preserve the Project as a multifamily residential project a portion of which is for rental to persons of low and moderate income and will be in the interest of the Issuer; and

WHEREAS, the Act authorizes the Issuer to incur indebtedness for the purpose of refunding revenue bonds issued for the purpose of providing multifamily residential housing for persons of low or moderate income; and

WHEREAS, in order to provide funds to refinance the Project and redeem the Original Bonds, and in consideration of the receipt of the Pass-through Certificate (as hereinafter defined) by the Trustee, the Issuer intends to make amounts available to the Lender (as hereinafter defined) to enable the Lender to fund a loan to the Borrower in the principal amount of \$18,220,000 (the "Mortgage Loan"), evidenced by a

promissory note (the "Mortgage Note") in such amount from the Borrower and secured by a Deed of Trust, Assignment of Rents and Security Agreement (the "Mortgage") with respect to the Project;

WHEREAS, a representative of the Borrower has requested in order to provide the funds necessary to enable the Lender to make the Mortgage Loan and to redeem the Original Bonds, that the Issuer, pursuant to the Act, authorize the issuance of its revenue refunding bonds designated as "City of Indianapolis Economic Development Revenue Refunding Bonds (Lockefield Associates Project) Series 1995A" and "City of Indianapolis Economic Development Revenue Refunding Bonds (Lockefield Associates Project) Taxable Series 1995B", in the maximum total principal amount of \$19,000,000 (collectively, the "Bonds"); and

WHEREAS, the Issuer, the Borrower, BOCC Funding Corporation (the "Lender"), and the Trustee will enter into a Financing Agreement (as hereinafter defined), pursuant to which the Mortgage Loan will be made; and

WHEREAS, pursuant to the terms of an Indenture of Trust (as hereinafter defined), and a Commitment Letter between the Lender and Fannie Mae, Fannie Mae, as trustee under the Trust Indenture for Guaranteed Mortgage Pass-through Certificate dated as of July 1, 1984, as amended and supplemented, between Fannie Mae in its corporate capacity and Fannie Mae in its capacity as trustee (the "Fannie Mae Trust Indenture"), upon delivery of the Bonds, shall acquire the Mortgage Loan from the Lender and issue in exchange therefor a Guaranteed Mortgage Pass-through Certificate (the "Pass-through Certificate") representing an undivided interest in the Mortgage Loan under the terms of which timely payment of principal and interest on the Pass-through Certificate is guaranteed by Fannie Mae regardless of whether corresponding payments on the Mortgage Loan are paid when due; and

WHEREAS, upon such acquisition by Fannie Mae of the Mortgage Loan in exchange for the Pass-through Certificate, the Pass-through Certificate is to be held in trust by the Trustee and pledged under the terms of the Indenture to secure payment of the Bonds; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 6, 1995 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the refinancing of the Project complies with the purposes and provisions of the Act and that such refinancing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Indenture of Trust (the "Indenture") dated as of December 1, 1995 by and between the Issuer and Bank One, Indianapolis, N.A., as Trustee (the "Trustee") to accomplish the foregoing; and

WHEREAS, a Financing Agreement dated as of December 1, 1995 by and between the Issuer and the Borrower (the "Financing Agreement") provides for the repayment by the Borrower of the loan of the proceeds of the Bonds pursuant to which the Borrower will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the refinancing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Financing Agreement, Indenture, Bond Purchase Agreement among the Issuer, Borrower and Banc One Capital Corporation (the "Underwriter"), Preliminary Official Statement, Remarketing Agreement, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the refinancing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of refinancing or providing reimbursement for a portion

of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the total aggregate principal amount not to exceed Nineteen Million Dollars (\$19,000,000) for the purpose of procuring funds to loan to the Company in order to refinance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Financing Agreement to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Official Statement is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Official Statement is hereby authorized to certify to the Underwriter that the information in the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Official Statement.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the Underwriter at a price not less than 97.0 % of the aggregate principal amount thereof, plus accrued interest, if any, and at a rate of interest determined as set forth in the Indenture, but not more than 9.0 % until the first Remarketing Date. The use of a Final Official Statement substantially the same form as the Preliminary Official Statement approved herein is approved for use and distribution by the Underwriter and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the Underwriter, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. In the event the Bonds are not closed until 1996, the Financing Documents may be dated in 1996 and the name of the Bonds shall reflect the issuance in 1996.

SECTION 8. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 9. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

Councillor Gilmer asked for consent to advance Proposal No. 782, 1995 on the agenda. The President said that Proposal No. 782, 1995 would be heard after Proposal No. 816, 1995.

PROPOSAL NO. 816, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 816, 1995 on December 7, 1995. The proposal is an inducement resolution for Banner Investments, Inc., in an amount not to exceed \$8,250,000 to proceed with the acquisition, renovation and equipping of the existing 304 unit multi-family residential rental facility located at 4444 Mission Drive (District 1). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal No. 816, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, McClamroch, Moriarty Adams, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, Williams

0 NAYS:

4 NOT VOTING: Giffin, Gray, Mullin, West

1 ABSENT: Jones

Proposal No. 816, 1995 was retitled SPECIAL RESOLUTION NO. 105, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 105, 1995

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, Banner Investments, Inc. on behalf of a to be formed Indiana limited liability company (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, renovation and equipping of the existing three hundred four (304) unit multi-family residential facility located at 4444 Mission Drive, Indianapolis, Indiana on approximately 20 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (seven (7) jobs) plus the creation of a construction job payroll and the creation of business opportunities to be achieved by the acquisition, renovation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended or any successor section thereof in connection with the Project and the Indiana Housing Finance Authority;

WHEREAS, the acquisition, renovation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Eight Million Two Hundred Fifty Thousand Dollars (\$8,250,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires July 31, 1996, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this

inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, renovation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (T 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. The City-County Council recognizes that the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 782, 1995. Councillor Gilmer acknowledged Mr. Mike Smith, consultant to the Department of Capital Asset Management, and explained the status of the new public transportation system. He reported that the Capital Asset Management Committee heard

Proposal No. 782, 1995 on December 6, 1995. The proposal approves an appropriation of \$6,000,000 for the Department of Capital Asset Management for public transportation initiatives financed by a transfer of appropriations from the Office of the Controller's State Grants Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor O'Dell, for adoption. Proposal No. 782, 1995 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, McClamroch, Moriarty Adams, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, Williams*

0 NAYS:

5 NOT VOTING: *Black, Giffin, Gray, Mullin, West*

1 ABSENT: *Jones*

Proposal No. 782, 1995 was retitled FISCAL ORDINANCE NO. 132, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 132, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) transferring and appropriating an additional Six Million Dollars (\$6,000,000) in the State Grants Fund for purposes of the Department of Capital Asset Management and reducing certain other appropriations for the Office of the Controller.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01. (m) of the City-County Annual Budget for 1996, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Capital Asset Management to contract for certain public transportation initiatives.

SECTION 2. The sum of Six Million Dollars (\$6,000,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	<u>STATE GRANTS FUND</u>
3. Other Services and Charges	<u>6,000,000</u>
TOTAL INCREASE	6,000,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>OFFICE OF THE CITY CONTROLLER</u>	<u>STATE GRANTS FUND</u>
3. Other Services and Charges	<u>6,000,000</u>
TOTAL REDUCTION	6,000,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 817, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on December 1, 1995." The Council did not schedule Proposal No. 817, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 817, 1995 was retitled REZONING ORDINANCE NO. 194, 1995 and is identified as follows:

REZONING ORDINANCE NO. 194, 1995. 93-Z-153

7450 NEW AUGUSTA ROAD (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT #2.

R.N. THOMPSON & ASSOCIATES, INC., by Ray Good, requests the rezoning of 37.8 acres, being in the D-A District, to the D-3 classification to provide for single-family residential development.

PROPOSAL NO. 818, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on December 7, 1995." The Council did not schedule Proposal No. 818, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 818, 1995 was retitled REZONING ORDINANCE NO. 195, 1995 and is identified as follows:

REZONING ORDINANCE NO. 195, 1995. 95-Z-173

1708 WEST 30TH STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9.

RIVERSIDE PARTNERS, LLC, by Joseph M. Scimia, requests the rezoning of 23.155 acres, being in the D-5, D-7, C-S, SU-35 and PK-1 Districts to the D-P classification to provide for a planned unit development for 14 multi-family townhomes, 86 multi-family townhomes or stacked flats, and 67 single-family units.

PROPOSAL NOS. 819-830, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on December 7, 1995". The Council did not schedule Proposal Nos. 819-830, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 819-830, 1995 were retitled REZONING ORDINANCE NOS. 196-207, 1995 and are identified as follows:

REZONING ORDINANCE NO. 196, 1995. 95-Z-162

6301 ZIONSVILLE ROAD (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1.

NATIONAL BENEVOLENT ASSOCIATION, by Mary E. Solada, requests the rezoning of 16 acres, being in the D-1 District, to the D-P classification to provide for the expansion of an existing retirement community including 26 garden homes (two-family structures), day care (one building) and medical office uses (one 15,000 square foot building).

REZONING ORDINANCE NO. 197, 1995. 95-Z-146

3218 HARPER ROAD (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 3.

DONALD G. DAVIS LIVING TRUST, by Steven R. Hall, requests the rezoning of 0.67 acre, being in the C-4 District, to the C-5 classification to provide for automobile sales.

REZONING ORDINANCE NO. 198, 1995. 95-Z-156

5085 EAST 64TH STREET (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 4.

SOMMER AWNING COMPANY, INC., by Brian J. Tuohy, requests the rezoning of 2.726 acres, being in the C-3 District, to the C-S classification to provide for the construction of an office/warehouse building for the manufacture and sale of awnings.

REZONING ORDINANCE NO. 199, 1995. 95-Z-160

6202-6230 NORTH COLLEGE AVENUE and 660 EAST 62ND STREET (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 7.

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 0.93 acre, being in the D-4 District, to the C-1 classification to conform zoning classification with the existing uses and to conform to the Neighborhood Plan.

REZONING ORDINANCE NO. 200, 1995. 95-Z-174

2425 EAST MICHIGAN STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15.

RONALD J. FRAZEE, by Michael J. Kias, requests the rezoning of 0.24 acre, being in the C-2 District, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 201, 1995. 95-Z-176

8380 KELLY LANE (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 3.

WESTEL-INDIANAPOLIS COMPANY d/b/a CELLULAR ONE, by James A.L. Buddenbaum, requests the rezoning of 2.636 acres, being in the C-S District, to the C-S classification to provide for the installation of a cellular communications antenna on an existing single pole sign and a 11.5 by 22 foot automated communications equipment building.

REZONING ORDINANCE NO. 202, 1995. 95-Z-178

4902 MANN ROAD (approximate address), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19.

HARRY KIM and KFM PARTNERS, L.P., by Michael J. Kias, request the rezoning of 7.541 acres, being in the C-3 District, to the C-S classification to provide for C-3 commercial uses on the eastern portion of the property and mini-warehouses on the western portion (rear) of the property.

REZONING ORDINANCE NO. 203, 1995. 95-Z-186

6231 SOUTH ARLINGTON AVENUE (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23.

FRED B. BOUSHEHRY requests the rezoning of 4.48 acres, being in the D-A, SU-42 and D-3 Districts, to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 204, 1995. 95-Z-187

408 SOUTH MERIDIAN STREET a.k.a. 19 WEST STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16.

ARCHITECTURAL SERVICES, INC. requests the rezoning of 1.93 acres, being in the I-3-U(RC) District, to the CBD-2(RC) classification to provide for commercial/office/residential uses.

REZONING ORDINANCE NO. 205, 1995. 95-Z-188

521 NORTH COLLEGE AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22.

PETER J. KUHNS requests the rezoning of 0.1506 acre, being in the I-3-U(RC) District, to the CBD-2(RC) classification to provide for office and residential uses.

REZONING ORDINANCE NO. 206, 1995. 95-Z-191

3850 NORTH KEYSTONE AVENUE (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 11.

HIGHLAND REALTY, INC., by Ronald L. Baker, requests the rezoning of 0.4 acre, being in the D-5 District, to the C-5 classification to provide for a used automobile sales lot with an automobile repair facility.

REZONING ORDINANCE NO. 207, 1995. 95-Z-193

4001 SOUTH EMERSON AVENUE (approximate address), BEECH GROVE.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23.

J.D. BYRIDER, by Philip A. NICELY, requests the rezoning of 1.702 acres, being in the C-4 District, to the C-5 classification to provide for the sale of automobiles.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 724, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 724, 1995 on November 8, 1995. The proposal consents to an appropriation of \$338,114 for the County Auditor, Prosecuting Attorney, County Sheriff, and the Presiding Judge of the Municipal Courts which is the third quarter distribution of the Deferral Program Fee Fund financed by revenues from that fund. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:29 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 724, 1995 was adopted on the following roll call vote; viz:

20 YEAS: Black, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, McClamroch, Moriarty Adams, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford

0 NAYS:

8 NOT VOTING: Beadling, Borst, Boyd, Giffin, Gray, Mullin, West, Williams

1 ABSENT: Jones

Proposal No. 724, 1995 was retitled FISCAL ORDINANCE NO. 133, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 133, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Three Hundred Thirty-eight Thousand One Hundred Fourteen Dollars (\$338,114) in the Deferral Program Fee Fund for purposes of the County Auditor, Prosecuting Attorney, County Sheriff and Presiding Judge of the Municipal Courts and reducing the unappropriated and unencumbered balance in the Deferral Program Fee Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,w,z,cc) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor, Prosecuting Attorney, County Sheriff and Presiding Judge of the Municipal Courts for the third quarter distribution of the Deferral Program Fee Funds to defer the cost of traffic enforcement.

SECTION 2. The sum of Three Hundred Thirty-eight Thousand One Hundred Fourteen Dollars (\$338,114) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>DEFERRAL PROGRAM FEE FUND</u>
1. Personal Services, fringes	11,250
3. Other Services and Charges	67,645
 <u>PROSECUTING ATTORNEY</u>	
1. Personal Services	45,000
2. Supplies	17,000
3. Other Services and Charges	72,980
 <u>COUNTY SHERIFF</u>	
3. Other Services and Charges	30,822
 <u>PRESIDING JUDGE OF THE MUNICIPAL COURTS</u>	
3. Other Services and Charges	93,417
TOTAL INCREASE	338,114

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>DEFERRAL PROGRAM FEE FUND</u>
Unappropriated and Unencumbered	
Deferral Program Fee Fund	338,114
TOTAL REDUCTION	338,114

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 725, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 725, 1995 on November 8, 1995. The proposal would appropriate \$38,782 for Community Corrections to fund a Jail Work Program financed by County General Fund Jail Reserve Account. Since the time of the Committee's recommendation, the initiator of the proposal has asked that the Council strike the proposal. Councillor Dowden moved to strike the proposal, seconded by Councillor Borst. The proposal was stricken by unanimous voice vote.

PROPOSAL NOS. 753 and 754, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal Nos. 753 and 754, 1995 on December 5, 1995. PROPOSAL NO. 753, 1995. The proposal authorizes tax anticipation borrowing for the City, during the period from January 1, 1996 through December 31, 1996. PROPOSAL NO. 754, 1995. The proposal authorizes tax anticipation borrowing for the County General Fund, the County Family and Children Fund, and the County Welfare General Fund during the period from January 1, 1996 through December 31, 1996. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:32 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Gilmer, for adoption. Proposal Nos. 753 and 754, 1995 were adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, McClamroch, Moriarty Adams, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West
0 NAYS:
4 NOT VOTING: Giffin, Gray, Mullin, Williams
1 ABSENT: Jones

Proposal No. 753, 1995 was retitled FISCAL ORDINANCE NO. 134, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO 134, 1995

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis ("City") to make temporary loans for the use of the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated City Fire Force Account, the Firemen's Pension Fund and the Park General Fund during the period January 1, 1996, through December 31, 1996, in anticipation of current taxes levied in the year 1995 and collectible in the year 1996 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in such Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds:

- A. that there will be insufficient funds in the Consolidated City Police Force Account to meet the current expenses payable from such Account prior to the June and December 1996 distributions of Taxes levied for such Account, and the June and December 1996 distributions of Taxes to be collected for the Consolidated City Police Force Account will collectively amount to more than Twenty-eight Million Two Hundred Thirteen Thousand Three Hundred Ninety Dollars (\$28,213,390) and the interest cost of making temporary loans for the Consolidated City Police Force Account;

- B. that there will be insufficient funds in the Police Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from such Fund prior to the June and December 1996 distributions of Taxes levied for such Fund, and the June and December 1996 distributions of Taxes collected for the Police Pension Fund will collectively amount to more than Three Million Eight Hundred Ninety-eight Thousand Nine Hundred Forty-six Dollars (\$3,898,946) and the interest cost of making temporary loans for the Police Pension Fund;
- C. that there will be insufficient funds in the Consolidated City Fire Force Account to meet the current expenses payable from such Account prior to the June and December 1996 distributions of Taxes levied for such Account, and the June and December 1996 distributions of Taxes to be collected for the Consolidated City Fire Force Account will collectively amount to more than Twenty-two Million Two Hundred Ninety-one Thousand Eight Hundred Eighty-eight Dollars (\$22,291,888) and the interest cost of making temporary loans for the Consolidated City Fire Force Account; and
- D. that there will be insufficient funds in the Firemen's Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from such Fund prior to the June and December 1996 distributions of Taxes levied for such Fund, and the June and December 1996 distributions of Taxes to be collected for the Firemen's Pension Fund will collectively amount to more than Three Million Four Hundred Ninety-seven Thousand Nine Hundred Seventy-two Dollars (\$3,497,972) and the interest cost of making temporary loans for the Firemen's Pension Fund; and
- E. that there will be insufficient funds in the Park General Fund to meet the current expenses for the payment of current expenses payable from such Fund prior to the June and December 1996 distributions of Taxes levied for such Fund, and the June and December 1996 distributions of Taxes to be collected for the Park General Fund will collectively amount to more than Ten Million Five Hundred Seventy-nine Thousand One Hundred Twenty-eight Dollars (\$10,579,128) and the interest cost of making temporary loans for the Park General Fund; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds and Accounts in anticipation of Taxes for these Funds and Accounts actually levied for the year 1995 and in the course of collection for the year 1996; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated City Police Force Account of the City in the maximum principal amount of Twenty-eight Million Two Hundred Thirteen Thousand Three Hundred Ninety Dollars (\$28,213,390) in anticipation of Taxes for the Account for the year 1996, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Consolidated City Police Force Account and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated City Police Force Account from the June and December 1996 distributions of Taxes for the Consolidated City Police Force Account, to the Consolidated City Police Force Account, the 1996 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and the Consolidated City Police Force Account, 1996 Budget Fund No. 160, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The City is authorized to borrow on temporary loans for the use and benefit of the Police Pension Fund of the City in the maximum principal amount of Three Million Eight Hundred Ninety-eight Thousand Nine Hundred Forty-six Dollars (\$3,898,946) in anticipation of Taxes for the Fund for the year 1996, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Police Pension Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Police Pension Fund from the June and December 1996 distributions of Taxes for the Police Pension Fund, to the Police Pension Fund, the 1996 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the Police Fund, 1996 Budget Fund No. 810, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated City Fire Force Account of the City in the maximum principal amount of Twenty-two Million Two Hundred Ninety-one Thousand Eight Hundred Eighty-eight Dollars (\$22,291,888) in anticipation of Taxes for the Account for the year 1996, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Consolidated City Fire Force Account and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated City Fire Force Account from the June and December 1996 distributions of Taxes for the Consolidated City Fire Force Account to the payment of the principal of the Consolidated City Fire Force Account, the 1996 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and to the 1996 Budget Fund No. 161, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 4. The City is authorized to borrow on temporary loans for the use and benefit of the Firemen's Pension Fund of the City in the maximum principal amount of Three Million Four Hundred Ninety-seven Thousand Nine Hundred Seventy-two Dollars (\$3,497,972) in anticipation of Taxes for the Fund for the year 1996, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Firemen's Pension Fund, and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Firemen's Pension Fund from the June and December 1996 distributions of Taxes for the Firemen's Pension Fund to the Firemen's Pension Fund, the 1996 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Firemen's Pension Fund 1996 Budget Fund No. 811, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 5. The City is authorized to borrow on temporary loans for the use and benefit of the Park General Fund of the City in the maximum principal amount of Ten Million Five Hundred Seventy-nine Thousand One Hundred Twenty-eight Dollars (\$10,579,128) in anticipation of Taxes for the Fund for the year 1996, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Park General Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Park General Fund from the June and December 1996 distributions of Taxes for the Park General Fund to the payment of the principal of the Park General Fund, the 1996 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and to the 1996 Budget Fund No. 170, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 6. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 7. The Warrants for each Fund or Account may be issued in one series, designated Series 1996 Warrants ("Series 1996 Warrants") or in two series, designated Series A and Series B ("Series A Warrants" and "Series B Warrants", respectively). The Series 1996 Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 1996 for that Fund or Account. The Series B Warrants for each Fund or Account may be issued in amount not to exceed the amount of the December 1996 distribution of Taxes for that Fund or Account. All Series A Warrants shall mature and be payable not later than June 28, 1996. All Series B Warrants and Series 1996 Warrants shall mature and be payable not later than December 31, 1996. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 7. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 7. (a) The Controller may sell the Warrants in one or more Series as set forth in Section 6 pursuant to either subsection (b) or (c) of this section. The Controller is hereby authorized and directed to have the Warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Controller may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Controller and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Mayor, Controller and Clerk are

authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Controller may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Controller shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the City, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the City determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Controller shall have the right to reject any and all bids at public sale. The proper officers of the City are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more Series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Controller and the purchaser of the Warrants at public sale.

SECTION 8. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____ Principal \$ _____

CITY OF INDIANAPOLIS
TAX ANTICIPATION TIME WARRANT, SERIES 1996____
(_____ [FUND] [ACCOUNT])

On the ____ day of _____, 1996, the City of Indianapolis ("City") in Marion County, Indiana promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer, ex officio Treasurer of the City, the sum of _____ Dollars (\$_____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of ____% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear as a rate of ____% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year of 1995, and payable in the [first installment] [second installment] for the year 1996 ("Taxes"), which Taxes are now in course of collection for the _____ of the City, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of \$_____ evidencing a temporary loan in anticipation of the Taxes for the _____.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the ____ day of _____, 1995, for the purpose of providing funds for the _____ of the City, in compliance with IC 36-3-4-22.

The consideration for this Warrant is a loan made to the City in anticipation of Taxes levied for the _____ of the City for the year of 1995, payable in the [first installment] [second installment] for the year 1996, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused the warrant to be signed in its corporate name by the manual or facsimile signature of the Mayor, and countersigned by the Controller of the City of Indianapolis, the corporate seal of the City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this ____ day of _____, 1996.

CITY OF INDIANAPOLIS

By: _____
Mayor, City of Indianapolis

COUNTERSIGNED:

By: _____
Controller, City of Indianapolis

ATTEST:

By: _____
Clerk, City of Indianapolis

EXHIBIT A
(Advances)
(to be placed on a separate page)

SECTION 9. The Warrants shall be executed in the name of the City by the manual or facsimile signature of the Mayor of the City, countersigned by the Controller of the City, the corporate seal of the City to be affixed thereto and attested by the Clerk of the City. The Warrants shall be payable at the office of the Marion County Treasurer, the ex officio City Treasurer, or the paying agent of the City. The Controller may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 10. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as amended and in existence on the date of issuance of the Warrants ("Code") and as an inducement to purchasers of the Warrants, the City represents, covenants and agrees that:

(a) No person or entity other than the City or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds or Accounts.

(b) No portion of the payment of the principal of or interest on the Warrants will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest in property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

(c) No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.

(d) The City will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion.

(e) The City represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the City does not qualify for such exception with regard to any of the Warrants the City will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

(f) It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

SECTION 11. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 754, 1995 was retitled FISCAL ORDINANCE NO. 135, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 135, 1995

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing Marion County, Indiana ("County") to make temporary loans for the use of the County General Fund and the County Family and Children's Fund ("Funds") during the period from January 1, 1996, through December 31, 1996, in anticipation of current taxes levied in the year 1995 and collectible in the year 1996 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in the Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Auditor of the County has filed with the Mayor of the City of Indianapolis ("City") an estimate and statement showing the amount of money needed to pay current expenses from the County General Fund and the County Family and Children's Fund pending the receipt of Taxes actually levied in 1995 and in the process of collection in 1996, and the Mayor did make and enter of record a finding and the Auditor and the Mayor have requested the City-County Council of Indianapolis and of Marion County ("City-County Council") to authorize temporary borrowing to procure funds necessary for use by the Funds to pay the incidental expenses necessary to be incurred in connection with the issuance and sale of the Warrants;

WHEREAS, the City-County Council now finds that the request should be granted and:

- A. that there will be insufficient funds in the County General Fund to meet the current expenses payable from the County General Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County General Fund will collectively amount to more than Sixty Million One Hundred Ninety-two Thousand Seven Hundred Eighty-six Dollars (\$60,192,786) and the interest cost of making temporary loans for the County General Fund; and
- B. that there will be insufficient funds in the County Family and Children's Fund to meet the current expenses payable from such Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County Family and Children's Fund will collectively amount to more than Twenty-seven Million Seven Hundred Forty-eight Thousand Nine Hundred Forty Dollars (\$27,748,940) and the interest cost of making temporary loans for the County Family and Children's Fund; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds in anticipation of Taxes for these Funds actually levied for the year 1995 and in the course of collection for the year 1996; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Auditor of the County and the Mayor of the City are authorized to borrow in the name of the County on temporary loans for the use and benefit of the County General Fund of the County in the maximum principal amount of Sixty Million One Hundred Ninety-two Thousand Seven Hundred Eighty-six Dollars (\$60,192,786) in anticipation of Taxes for the Fund for the year 1996, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County General Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County General Fund from the June and December 1996 distributions of Taxes for the County General Fund, for the payment of the principal of the Warrants evidencing such temporary loan and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The Auditor of the County and the Mayor of the City are authorized to borrow on temporary loans for the use and benefit of the County Family and Children's Fund of the County in the maximum principal amount of Twenty-seven Million Seven Hundred Forty-eight Thousand Nine Hundred Forty

Dollars (\$27,748,940) in anticipation of Taxes for the Fund for the year 1996, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County Family and Children's Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County Family and Children's Fund from the June and December 1996 distributions of Taxes for the County Family and Children's Fund, to the County Family and Children's Fund for the payment of the principal of the Warrants evidencing such temporary loans and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 4 and subsection (b). The Warrants for each Fund may be issued in one series, designated Series 1996 Warrants ("Series 1996 Warrants") or in two series, designated Series A and Series B ("Series A Warrants" and "Series B Warrants", respectively). The Series 1996 Warrants for each Fund may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 1996 for that Fund. The Series B Warrants for each Fund may be issued in amount not to exceed the amount of the December 1996 distribution of Taxes for that Fund. All Series A Warrants shall mature and be payable not later than on June 28, 1996. All Series B Warrants and Series 1996 Warrants shall mature and be payable not later than December 31, 1996. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 4. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 4. (a) The Auditor may sell the Warrants in one or more series as set forth in Section 3 pursuant to either subsection (b) or (c) of this section. The Auditor is hereby authorized and directed to have the Warrants prepared, and The Board of Commissioners of the County ("Commissioners"), Mayor and Auditor are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Auditor may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Auditor and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Commissioners, the Mayor and Auditor are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Auditor may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Auditor shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the County, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Auditor at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the County determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Auditor shall have the right to reject any and all bids at public sale. The proper officers of the County are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Auditor and the purchaser of the Warrants at public sale.

SECTION 5. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____

Principal \$ _____

MARION COUNTY
TAX ANTICIPATION TIME WARRANT, SERIES 1996____
(_____ FUND)

On the ____ day of _____, 1996, the Board of Commissioners of Marion County, Indiana ("County") promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer the sum of _____ Dollars (\$_____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of ____% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear interest at the rate of ____% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year 1995, and payable from the [first installment] [second installment] for the year 1996 ("Taxes"), which Taxes are now in course of collection for the County _____ Fund, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of _____ Dollars (\$_____), evidencing a temporary loan in anticipation of the Taxes for the County _____ Fund.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the ____ day of _____, 1995, for the purpose of providing funds for the County _____ Fund, in compliance with IC 36-2-6.

The consideration for this Warrant is a loan made to the County in anticipation of Taxes levied for the County _____ Fund for the year of 1995, payable in the [first installment] [second installment] for the year 1996, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, The Board of Commissioners of Marion County, Indiana has caused the warrant to be signed in the corporate name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor and attested by the Auditor and the corporate seal of The Board of Commissioners to be hereunto affixed.

Dated this ____ day of _____, 1996.

THE BOARD OF COMMISSIONERS OF
MARION COUNTY, INDIANA

By: _____
Commissioner

By: _____
Commissioner

By: _____
Commissioner

COUNTERSIGNED:

By: _____
Mayor, City of Indianapolis

ATTEST:

By: _____
Auditor, Marion County

EXHIBIT A

(Advances)

(to be placed on a separate page)

SECTION 6. The Warrants shall be executed in the name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor of the City, the corporate seal of the County to be affixed thereto and attested by the Auditor of the County. The Warrants shall be payable at the office of the Marion County Treasurer, or the paying agent of the City. The Auditor may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 7. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as amended and in existence on the date of issuance of the Warrants ("Code") and as an inducement to purchasers of the Warrants, the County represents, covenants and agrees that:

(a) No person or entity other than the County or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds.

(b) No portion of the principal of or interest on the Warrant proceeds will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

(c) No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.

(d) The County will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the County act in any other manner which would adversely affect such exclusion.

(e) The County represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the County does not qualify for such exception with regard to any of the Warrants, the County will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

(f) It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 756, 760, 761, 762, and 763, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 756, and 760-763, 1995 on December 11, 1995. PROPOSAL NO. 756, 1995. The proposal is an appropriation of \$14,192 to continue the Salvation Army's Domestic Violence Program through the Prosecuting Attorney financed by a state grant. PROPOSAL NO. 760, 1995. The proposal is an appropriation of \$31,252 for the Superior Court, Juvenile Division/Detention Center, to provide legal assistance for children through Child Advocates, Inc. financed by a state grant. PROPOSAL NO. 761, 1995. The proposal is an appropriation of \$49,967 for the Superior Court, Juvenile Division/Detention Center, to fund Partners for Youth financed by a state grant. PROPOSAL NO. 762, 1995. The proposal is an appropriation of \$68,425 for the Superior Court, Juvenile

Division/Detention Center, to fund the Southside Youth Council/Teen Court Program financed by a state grant. PROPOSAL NO. 763, 1995. The proposal is an appropriation of \$25,536 for the Court Administrator Agency to continue the Visiting Nurse Service as part of the Family Connection Center Program financed by a state grant. By unanimous votes, the Committee reported these proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:39 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal Nos. 756 and 760, 761, 762, and 763, 1995 were adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

3 NOT VOTING: *Black, Giffin, Golc*

1 ABSENT: *Jones*

Proposal No. 756, 1995 was retitled FISCAL ORDINANCE NO. 136, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 136, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Fourteen Thousand One Hundred Ninety-two Dollars (\$14,192) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (w) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney for continuing 95/96 funds for the Salvation Army to provide domestic violence shelter and counseling.

SECTION 2. The sum of Fourteen Thousand One Hundred Ninety-two Dollars (\$14,192) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>14,192</u>
TOTAL INCREASE	14,192

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>14,192</u>
TOTAL REDUCTION	14,192

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 760, 1995 was retitled FISCAL ORDINANCE NO. 137, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 137, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Thirty-one Thousand Two Hundred Fifty-two Dollars (\$31,252) in the State and Federal Grants Fund for purposes of the Superior Court, Juvenile Division/Detention Center and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (kk) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Juvenile Division/Detention Center for legal services for individuals represented by Child Advocates, Inc.

SECTION 2. The sum of Thirty-one Thousand Two Hundred Fifty-two Dollars (\$31,252) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

SUPERIOR COURT, JUVENILE DIVISION
DETENTION CENTER

STATE AND FEDERAL GRANTS FUND

3. Other Services and Charges
TOTAL INCREASE

31,252
31,252

SECTION 4. The said additional appropriation is funded by the following reductions:

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered
State and Federal Grants Fund
TOTAL REDUCTION

31,252
31,252

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 761, 1995 was retitled FISCAL ORDINANCE NO. 138, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 138, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Forty-nine Thousand Nine Hundred Sixty-seven Dollars (\$49,967) in the State and Federal Grants Fund for purposes of the Superior Court, Juvenile Division/Detention Center and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (kk) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Juvenile Division/Detention Center for a grant for Partners for Youth to provide mentoring programs for at-risk youths.

SECTION 2. The sum of Forty-nine Thousand Nine Hundred Sixty-seven Dollars (\$49,967) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>SUPERIOR COURT, JUVENILE DIVISION/ DETENTION CENTER</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	49,967
TOTAL INCREASE	49,967

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	49,967
TOTAL REDUCTION	49,967

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 762, 1995 was retitled FISCAL ORDINANCE NO. 139, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 139, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Sixty-eight Thousand Four Hundred Twenty-five Dollars (\$68,425) in the State and Federal Grants Fund for purposes of the Superior Court, Juvenile Division/Detention Center and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (kk) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Juvenile Division/Detention Center for a grant for the Southside Youth Council - Teen Court Program.

SECTION 2. The sum of Sixty-eight Thousand Four Hundred Twenty-five Dollars (\$68,425) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

SUPERIOR COURT, JUVENILE DIVISION/
DETENTION CENTER

3. Other Services and Charges
TOTAL INCREASE

STATE AND FEDERAL GRANTS FUND

68,425
68,425

SECTION 4. The said additional appropriation is funded by the following reductions:

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered
State and Federal Grants Fund
TOTAL REDUCTION

68,425
68,425

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 763, 1995 was retitled FISCAL ORDINANCE NO. 140, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 140, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Twenty-five Thousand Five Hundred Thirty-six Dollars (\$25,536) in the State and Federal Grants Fund for purposes of the Court Administrator Agency and the Domestic Relations Counseling Bureau and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (ww) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Court Administrator Agency and the Domestic Counseling Bureau of a grant for the Visiting Nurse Service's supervised court ordered visitation program.

SECTION 2. The sum of Twenty-five Thousand Five Hundred Thirty-six Dollars (\$25,536) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

COURT ADMINISTRATOR AGENCY

3. Other Services and Charges
TOTAL INCREASE

STATE AND FEDERAL GRANTS FUND

25,536
25,536

SECTION 4. The said additional appropriation is funded by the following reductions:

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered
State and Federal Grants
TOTAL REDUCTION

25,536
25,536

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 378, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 378, 1995 on December 11, 1995. The proposal revises provisions for registration of private emergency alarm systems and penalties for false alarm violations. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Beadling asked about a manufacturer defect. Councillor Dowden explained that there is an initial grace period for a defective alarm, but once it had been in place for a while, it was the owner's responsibility. Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 378, 1995 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

1 NOT VOTING: *Giffin*

1 ABSENT: *Jones*

Proposal No. 378, 1995 was retitled GENERAL ORDINANCE NO. 214, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 214, 1995

A GENERAL ORDINANCE recodifying and amending Chapter 21½ of the "Code of Indianapolis and Marion County, Indiana," and Sec. 103-52 of the "Revised Code of the Consolidated City and County," regarding Private Emergency Alarm Systems and false alarm violations.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby amended to add a NEW Chapter 811 (which is a revision and recodification of Chapter 21½ of the "Code of Indianapolis and Marion County, Indiana" that deletes the language which is stricken-through and adds the language which is underscored) to read as follows:

ARTICLE I. ~~IN GENERAL~~ PURPOSE AND DEFINITIONS

Sec. ~~21½-1~~ 811-101. Purpose.

It is hereby declared to be the purpose of this chapter to reduce the number of false alarms activated by private emergency alarm systems and thereby reduce the City's commitment of law enforcement resources required to answer these false alarms.

Sec. ~~21½-2~~ 811-102. Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them in this section.

(a) *Alarm agent* means any person who is employed by an alarm business either directly or indirectly, whose duties include selling, maintaining, leasing, servicing, repairing, altering, replacing, moving or installing on or in any building, structure, facility or grounds any alarm system.

(b) *Alarm business* means any individual, partnership, corporation or other entity ~~who in addition to selling alarm systems, also~~ which does any of the following: monitors, leases, maintains, services, repairs, alters, replaces, moves or installs any alarm system or causes to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure, facility or grounds.

(e) *Alarm system* means any device used for the detection of an unauthorized entry or attempted entry into a building, structure, facility or grounds, or for alerting others of the commission of an unlawful act within a building, structure, facility or grounds, which when activated causes notification to be made directly or indirectly to the Indianapolis Police Department or the Marion County Sheriff's Department.

For the purposes of this ~~article chapter~~, an *alarm system* shall not include:

- (1) An alarm installed on a motor vehicle;
- (2) An alarm designed so that the Indianapolis Police Department or the Marion County Sheriff's Department are not notified until after the occupants, an agent of the owner or lessee, or an agent of an alarm system business has checked the alarm site and determined that the alarm was the result of criminal activity of the kind for which the alarm system was designed to give notice;
- (3) An alarm which signals or alerts only the occupants of the premises protected by the alarm system, including an alarm located on a private residence if the only response on activation of the alarm system is an external sounding alarm that automatically stops within fifteen (15) minutes after activation; or
- (4) An alarm installed upon premises occupied by the United States, the State of Indiana, or any political subdivision thereof.

(d) *Automatic telephone dialing device* means any device connected to an alarm system which automatically sends a prerecorded message or coded signal to a law enforcement agency indicating the activation of the alarm system.

(e) *False alarm* means an alarm eliciting a police response when the situation does not require police services. For the purposes of this chapter, this does not include alarms triggered by severe atmospheric conditions or other circumstances not reasonably under the control of the alarm user, installer or maintainer.

Monitor or monitoring means the detection from a remote location of the activation of an alarm system subject to this chapter.

(f) *Permit holder* means the individual, corporation, partnership or other legal entity ~~to whom an alarm system permit is issued~~ who is required by this chapter to apply for an alarm system permit.

Secs. 811-103 -- 811-110. Reserved.

ARTICLE II. ALARM SYSTEM PERMITS

Sec. 21½-3. Alarm system permit required.

(a) ~~It shall be unlawful for a person who own or controls property to operate, cause to be operated, or permit the operation of an alarm system on that property unless a current alarm system permit has been obtained from the city controller; provided, however, no permit shall be required for an alarm system located on a private residence if the only response on activation of the alarm system is an external sounding alarm that automatically stops within fifteen (15) minutes after activation. If police are routinely notified and dispatched to a private residence to investigate an activated alarm, a permit shall be required.~~

(b) ~~Any person who violates this section shall be subject to a twenty five dollar (\$25.00) fine unless an alarm system permit is obtained within ten (10) days after receiving notification of the violation, provided that prior notification has not been given.~~

~~(c) Any activation occurring within 30 days after installment of a new alarm system shall be exempt.~~

Sec. 21½-4 811-111. Application for alarm system permit.

(a) Application for a permit for the operation of an alarm system shall be made by a person or legal entity having ownership or control over the property on which the alarm system is to be installed and operated. Such applications shall be made in writing to the city controller on a form designated by the city for that purpose.

(b) The application shall include the following information:

(a1) The name, address and telephone number of each person in control of the property;

(b2) The street address of the property on which the alarm system is to be installed and operated;

(c3) Any business name used for the premises on which the alarm system is to be installed and operated;

(d4) Whether the alarm system or systems are or are not local alarms and whether the alarm system or systems are designed to give notice of a burglary, hold-up or other type of emergency;

(e5) The name of the person or alarm system business who will install the alarm system; and,

(f6) The names and telephone numbers of two (2) persons or of an alarm system business which are able to and have agreed:

(1i) To receive notification at any time;

(2ii) To come to the alarm site within thirty (30) minutes after receiving a request from the Indianapolis Police Department or Marion County Sheriff's Department to do so; and

(3iii) To grant access to the alarm site and to deactivate the alarm system if such becomes necessary.

Sec. ~~211-5~~ 811-112. Issuance of alarm system permit; ~~notification to police department~~.

(a) The controller shall issue an alarm system permit to the person or other legal entity in control of the property upon submission of an application in accordance with this article and payment of the permit fee, unless the controller finds any statement made in the application was incomplete or false.

(b) The controller shall assign to each alarm system permit a unique identification number supplied by the Indianapolis Police Department.

~~(bc) Immediately. No later than forty-eight (48) hours after receipt of the application for issuance of an alarm system permit and payment of the permit fee, or after receiving updated information on an existing permit, the controller shall forward a copy of the application or updated information, along with the identification number, to the appropriate law enforcement agency Indianapolis Police Department. All information on such application shall be protected as confidential information; provided, however, nothing in this chapter shall prohibit the use of such information for legitimate law enforcement purposes and for enforcement of this chapter.~~

(ed) ~~Throughout the term of the permit, the~~ permit holder shall promptly notify the controller in writing of any change in the information contained in the permit application.

Sec. ~~211-6~~ 811-113. Permit fee and term.

(a) The fee for an alarm system permit shall be ~~ten fourteen dollars (\$14.00) (\$10.00), two dollars (\$2.00) issuance fee and two dollars (\$2.00) service fee credited to the Indianapolis Police Department to help defray expenses for mailing, permit stickers and alarm application forms.~~

(b) An alarm system permit issued pursuant to this article shall be valid for a term of two (2) years commencing from the date of issuance, for those alarms which continue to be monitored.

(c) An alarm system permit issued pursuant to this article shall be personal to the permit holder for a specific location and is shall not be transferrable.

(d) ~~An alarm system permit issued pursuant to this article may be suspended or revoked pursuant to the conditions and procedures established by section 17-49 of this Code.~~

Sec. 21½-7 811-114. Location of permit Display of alarm system permit number.

The permit holder for an alarm system shall ~~keep such~~ post the alarm system permit at the alarm site in a location from which the identification number clearly is visible to any law enforcement official who responds to an alarm.

Sec. 811-115. Violations; penalty.

(a) The following shall constitute violations of this article by the owner or person in control of property upon which there is an alarm system:

- (1) to operate, cause to be operated, or permit the operation of an alarm system unless a current alarm system permit has been obtained therefor from the city controller;
- (2) to fail promptly to notify the controller of any change in the information on an alarm system permit application; or,
- (3) to fail to post the alarm system identification number as provided by this article.

(b) A violation of this article shall be enforced as provided in Sec. 103-3 of this Code. Each day a violation of this article continues shall constitute a separate offense.

(c) The minimum fine for a violation of this article shall be fifty dollars (\$50.00) for each violation.

Secs. 811-116 -- 811-140. Reserved.

ARTICLE III. ALARM BUSINESS LICENSES

Sec. 21½-8 811-141. Licensing of alarm business and alarm monitoring business.

(a) Prior to doing business, including monitoring an alarm located within the Consolidated City of Indianapolis, an alarm ~~system~~ business shall obtain a license from the city controller's office.

(b) An alarm business doing business at the time this amended chapter becomes effective shall have thirty (30) days to apply for a license as required above.

Sec. 21½-9 811-142. Application for License.

(a) All applications for a license required by this article shall be made on forms designated by the city controller and shall include the following information:

- (1) The full name and address of the alarm business;
- (2) The full name, business address and home address of the manager;
- (3) A telephone number at which the Indianapolis Police Department or Marion County Sheriff's Department can notify personnel of the alarm business of a need for assistance at any time; and,
- (4) The names, addresses and dates of birth of all alarm agents employed by the alarm business.

(b) An alarm business shall promptly notify the controller in writing of any change in the information contained in the ~~registration~~ application form.

Sec. 21½-10 811-143. License fee and term.

(a) An alarm business license shall be valid for one (1) year and shall be renewable on the first day of January of each year.

(b) The annual license fee for each alarm business shall be two hundred fifty dollars (\$250.00).

(c) An alarm business license shall be personal to the holder and is not transferrable.

~~Sec. 21½-11. Revocation of license.~~

~~An alarm business license issued pursuant to this article may be suspended or revoked pursuant to the conditions and procedures established by section 17-49 of this Code.~~

~~Sec. 21½-12~~ 811-144. Identification cards required.

Every alarm agent shall carry on his person at all times while engaged in the alarm business an identification card which shall be displayed to any law enforcement officer upon request.

~~Sec. 21½-13~~ 811-145. Installation of alarm systems.

Any alarm business which installs an alarm system within the Consolidated City of Indianapolis shall provide the following information on a form designated by the city:

- (1) The address where such system is installed;
- (2) The name and address of the person having control over the property; and,
- (3) The type of alarm system.

Such form shall be submitted to the Indianapolis Police Department not earlier than twenty (20) days prior to the installation of such system and not later than forty-eight (48) hours after such system is installed. Such information shall be protected as confidential information and its use shall be restricted to legitimate law enforcement purposes and to enforcement of this chapter.

Secs. 811-146 -- 811-160. Reserved.

ARTICLE IV. FALSE ALARMS

~~Sec. 21½-14~~ 811-161. Prohibited activity.

(a) It shall be unlawful for a person who owns or controls property on which an alarm system is installed to issue, cause to be issued, or permit the issuance of more than ~~two (2)~~ one (1) false alarms in a ~~calendar year~~ twelve (12) month period. Provided, however, this section shall not apply to an alarm system which emits a false alarm within thirty (30) days after installation of the alarm system.

(b) A person who owns or control property on which an alarm system is installed shall receive a warning from the appropriate law enforcement agency for the ~~last two (2)~~ first false alarms issued by such alarm system during ~~a calendar year~~ the twelve month period following the last false alarm or the installation of the alarm whichever is more recent.

(c) All alarms will have an automatic reset system which silences the externally sounding alarm within ~~thirty (30)~~ fifteen (15) minutes after activation.

~~Sec. 21½-15~~ 811-162. Enforcement.

(a) If an alarm system issues ~~more than two (2)~~, three (3), or four (4) false alarms in a ~~calendar year~~ twelve month period, the person who owns or controls the property on which such alarm system is installed shall receive notice of violation of section ~~21½-14~~ 811-161 in the manner specified in Chapter 103 of the Revised Code if subject to compromise under section ~~103-302~~ 52.

(b) The ~~eighth~~ fifth and each subsequent false alarms within a ~~calendar year~~ twelve month period and other violations not specified in section ~~103-302~~ 52 shall be subject to the general penalties of this Code ~~and enforcement shall be by the city prosecutor~~.

~~Secs. 21½-16 -- 21½-20~~ 811-163 -- 811-180. Reserved.

ARTICLE V. AUTOMATIC TELEPHONE DIALING DEVICES

Sec. ~~21 1/2-21~~ 811-181. Automatic telephone device prohibited.

(a) It shall be unlawful to use or permit the use of any automatic telephone device or attachment which automatically selects any telephone line leading into the communication center of the Indianapolis Police Department or the Marion County Sheriff and then transmits any prerecorded message or signal.

(b) It shall be unlawful to sell or install any automatic telephone device which automatically selects any telephone line leading into the communication center of the Indianapolis Police Department or the Marion County Sheriff and then transmits prerecorded message or signal.

(c) Any person who operated or uses an automatic telephone device at the time this chapter becomes effective shall have until July 15, 1983, to comply with the requirements of this section.

(d) Any person who violates this section shall be subject to the general penalties for violating this Code as contained in section ~~4-8~~ 103-3.

Secs. 811-182 -- 811-200. Reserved.

SECTION 2. Sec. 103-52 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language which is stricken-through and by adding the language which is underscored, to read as follows:

Sec. 103-52. Schedule of Code provisions and penalties.

The following Code (or ordinance) provisions and respective civil penalties are designated for enforcement through the ordinance violations bureau:

<u>Code Section</u>	<u>Subject Matter</u>	<u>Civil Penalty</u>
4-71	Open burning	50.00
6-4	Animal at large - 1st offense in calendar year	50.00
6-71	Unlicensed dog - 1st offense in calendar year	50.00
6-150	Unvaccinated dog or cat - 1st offense in calendar year	50.00
7-20	Swimming in unguarded waters - 1st offense in calendar year	50.00
17-151	Sale of tobacco products without license - 1st offense	45.00
17-154	Prohibited distributions of tobacco products - 1st offense	45.00
17-780	Unlicensed transient merchant - 1st offense in calendar year	50.00
17 1/2-8	Littering on premises of another	45.00
17 1/2-17	Vehicle losing its load - 1st offense in calendar year	50.00
18-2	Unlawful noise - 1st offense in calendar year	50.00
20-9	Loitering - 1st offense in calendar year	50.00
20-46	Noisy house - 1st offense in calendar year	50.00
21 1/2-14	3rd false alarm in calendar year	20.00
21 1/2-14	4th false alarm in calendar year	30.00
21 1/2-14	5th through 7th false alarm in calendar year	40.00
22-2	In park after hours - 1st offense in calendar year	50.00
22-9	Alcohol in park - 1st offense in calendar year	50.00
28-16	Parking prohibited for street repairs and cleaning	12.50
28-210	Skateboard or similar play device - 1st offense in calendar year	50.00
28-311	Premises address violation - 2nd offense in calendar year	25.00
29-8	Pedestrian violations	12.50
29-27	Parking when temporarily prohibited	12.50
29-97	Display of unauthorized traffic controls	12.50
29-98	Interference with traffic control devices	12.50
29-123	Unlawful use of horn or sounding device	15.00
29-223	Unlawfully parked trailer	12.50
29-252	Unlawful parking on sidewalk, in crosswalk, or adjacent yard	25.00
29-253	Unlawful parking in certain school areas	12.50
29-254	Unlawful manner of parking	12.50
29-255	No required lights on certain parked vehicles	12.50

29-256.1	Violation of handicapped parking restrictions	45.00
29-256.2	Unlawful parking in handicapped parking meter zone	45.00
29-257	Unloading perpendicular to curb without permit	12.50
29-258	Unlawful use of bus stops and taxicab stand	12.50
29-259	Unlawful use of passenger and loading zones	12.50
29-260	Unlawful parking adjacent to certain buildings	12.50
29-262	Unlawful parking for display for sale or advertising	12.50
29-263	Unlawful parking for more than 6 hours	12.50
29-264	Unlawful parking of commercial vehicles at night	12.50
29-265	Unlawful parking in alleys or on certain narrow streets	12.50
29-266	Unlawful parking in designated special parking areas	12.50
29-267	Parking on certain streets where prohibited at all times	12.50
29-268	Stopping, standing or parking on streets where prohibited at all times	12.50
29-269	Parking on certain streets where prohibited at all times on certain days	12.50
29-270	Parking on certain streets when prohibited at certain times on certain days	12.50
29-271	Stopping, standing or parking during prohibited hours on certain days on certain streets. If between hours of 6:00 a.m. - 9:00 a.m., 7:00 a.m. - 9:00 a.m., 3:00 p.m. - 6:00 p.m., 4:00 p.m. - 6:00 p.m.	25.00
29-272	Parking longer than permitted on certain streets at certain times on certain days	12.50
29-284	Parking in excess of time permitted in parking meter zone	12.50
29-291	Parking in meter zone when temporarily prohibited	12.50
29-297	Overtime parking in metered parking space	12.50
29-321	Unlawful parking during snow emergency	25.00
29-335	Leaving taxicab unattended	12.50
29-336	Unlawful parking of bus or taxicab	12.50
29-337	Unlawful parking in certain mailbox zones	12.50
29-341	Unlawful stopping, standing or parking near fire hydrant	45.00
29-342	Unlawful obstruction of fire lane	25.00
29-398	Unlawful loading or unloading of private bus	12.50
29-400	Unlawfully stopping of food vendor vehicle	12.50
29-401	Violation of noise restriction on food vendors	12.50
29-403	Failure of food vending vehicle to display required warnings	12.50
29-403.2	Unlawful vending for other than curb side of vending vehicle	12.50
29-406	Operation of bicycle without required equipment	12.50
29-407	Unlawful operation of bicycle	12.50
29-424	Operation of unregistered bicycle	7.50
29-440	Consumption or possession by operator of motor vehicle 1st offense in calendar year	50.00
29-441	Operating motor vehicle containing open alcoholic beverages 1st offense in calendar year	50.00
Appendix D. Part 26, Sec. 6	Civil zoning violations - 1st offense in calendar year	50.00
811-401	2nd False alarm in twelve month period	25.00
811-401	3rd False alarm in twelve month period	35.00
811-401	4th False alarm in twelve month period	50.00

SECTION 3. Chapter 21½ of the Code of Indianapolis and Marion County, Indiana, is hereby superseded and repealed as of the effective date of this ordinance.

SECTION 4. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 5. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provisions or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 6. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 484, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 484, 1995 on November 15, 1995, where it was amended and tabled, and again on December 5, 1995. The proposal concerns leasing of right-of-way for vending from carts and stands, replaces current system of licensing carts, and recodifies other relevant provisions. Councillor Rhodes relayed the major changes dealing with franchise zone petitions, commercial transaction zones (Circle Centre and Canal Walk) which would be managed by a professional agency, new license fees, and designated special events license fees. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Borst relayed the management process for the commercial transaction zones. He said that he would like to see the form that management takes and asked James Steele, Jr., City Controller, if he would keep the Council informed. Mr. Steele agreed to run any agreement before the Council before signing.

Councillor Smith stated his concern is that there would be too much control of merchandise. Mr. Steele replied that there would be more flexibility in merchandise and services and less regulations. Councillor Smith stated that he thought the goal was to give more freedom and less regulations and let the market decide what merchandise should be sold, not give the control to the City. Tamara Zahn, President of Indianapolis Downtown, Inc., responded to Councillor Smith's concerns by stating that the goal was to seek a balance of merchandise, but that ultimately the market would determine which vendors would make it simply by purchase power and survival.

Councillor Beadling asked about the criteria for which carts would be chosen. She would not like to see the areas go to the highest bidders, but be designed to give the small businessman a chance. Ms. Zahn assured Councillor Beadling that they have taken steps to address her concerns and protect the small businessperson. They are looking at these vending opportunities as an incubating process and are keeping a lower licensing fee. It is not a highest bid process, but a goal for a long-term incubation process to grow these vendors into possible property owners themselves in the future.

Councillor Williams noted the absence of the vendors at this meeting indicating that they already felt their input had been taken into consideration and that she felt comfortable with the Committee's recommendation. The President added that cities he had visited where there were no regulations on sidewalk vending tended to be chaotic and non-productive.

Councillor Rhodes moved, seconded by Councillor Short, for adoption. Proposal No. 484, 1995 was adopted on the following roll call vote; viz:

19 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Jimison, McClamroch, Moriarty Adams, Mullin, Rhodes, SerVaas, Shambaugh, Short, Tilford, West, Williams

6 NAYS: Beadling, Gilmer, Hinkle, O'Dell, Schneider, Smith

3 NOT VOTING: Giffin, Golc, Gray

1 ABSENT: Jones

Proposal No. 484, 1995 was retitled GENERAL ORDINANCE NO. 215, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 215, 1995

A GENERAL ORDINANCE amending Article XXIII of Chapter 17 of the "Code of Indianapolis and Marion County, Indiana" concerning outdoor retail sales from carts on an annual basis and at special events; recodifying the Article as part of Chapter 961 of the "Revised Code of the Consolidated City and County;" and making certain other technical amendments to the Code.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 17, Article XXIII of the "Code of Indianapolis and Marion County, Indiana" is hereby amended and recodified as part of Chapter 961 of the "Revised Code of the Consolidated City and County," by the deletion of the language which is stricken-through and by the addition of the language which is underscored, to read as follows:

ARTICLE ~~XXIII~~ I. OUTDOOR RETAIL SALES FROM CARTS; GENERAL PROVISIONS
DIVISION 1. GENERALLY

Sec. ~~17-805~~ 961-101. ~~Legislative determinations~~ Purpose.

The council, pursuant to its authority to regulate the conduct of business upon the public ways of the city, to promote the safety and welfare of its residents and visitors, and to collect fees to defray the costs of such regulation, determines it necessary and proper to license the businesses of retail sales of food, frozen food, beverages and flowers and other merchandise from carts and stands upon the public ways and to limit and franchise such sales in certain areas of the city. This ~~article~~ chapter is adopted to accomplish such goals.

Sec. ~~17-806~~ 961-102. Licenses required; ~~exceptions.~~

(a) It shall be unlawful to sell food, ~~beverages or frozen food~~, flowers ~~or other merchandise~~ from a cart on ~~public areas or sidewalks in the city~~ property without a license issued pursuant to this ~~article~~ chapter.

(b) A separate license shall be required for each cart.

(c) It is not necessary to be licensed as a transient merchant pursuant to ~~Article XXII of this chapter~~ code in order to obtain a license for a vendor's cart or to operate ~~a cart under a vendor's cart license.~~

~~(d) Prior to January 1, 1990, a transient merchant licensed pursuant to Article XII of this chapter may sell food, beverages or flowers from carts except in food cart zones.~~

Sec. ~~17-807~~ 961-103. Definitions.

As used in this ~~article~~ chapter, the following terms shall have the meanings ascribed to them in this section:

Beverage ~~shall mean~~ means any nonalcoholic liquid, hot or cold, intended for use in whole or in part for human consumption;

Cart ~~shall mean a~~ means both:

- (1) A wheeled device, not propelled by a motor, no larger than six (6) feet in length, three (3) feet in width and five (5) feet in height (exclusive of canopy), constructed so an operator may not stand on or in the device; however, the dimensional limitations provided in this definition shall not apply to carts located in a commercial transaction zone; and,
- (2) In a commercial transaction zone only, a stand from which food, frozen food, flowers or other merchandise is sold or offered for sale by a person;

Central city means the geographic area bounded ~~as follows:~~ on the north — by 16th Street; on the east — by East Street / and Central Street; Avenue, on the south — by South Street; and on the west (going from south to north) — by West Street, West Washington Street, White River, and Fall Creek;

City property means all outdoor areas which are owned, or leased as lessee, by the city or one of the city's departments, or upon which the city or one of its departments has an easement or right-of-way, including, but not limited to, streets, sidewalks, plazas or other areas adjacent to buildings owned by the city or by one of its departments;

Commercial transaction zone means one of the geographic areas designated under Article IV of this chapter;

Flowers shall mean means any fresh cut flower or live plant; in a pot not larger than four (4) inches in diameter.

Food shall mean means any raw, cooked or processed edible substance or beverage intended for use in whole or in part for human consumption, other than frozen food;

Food cart zones means through December 31, 1989, the seventeen (17) zones previously established by the controller for beverages, food, and flowers sold from carts. Up to three (3) licenses may be assigned to any one (1) zone. Except where more existed on November 1, 1987, in any one (1) zone, two (2) will be for food, beverage, or both; and one (1) for flowers. Assignment of each license to a particular zone shall be made by the controller, when a new license is issued.

Franchise area zone means one of the geographic areas determined designated under section 17-827, Article III of this chapter;

Frozen food means any food or beverage preserved and sold in a frozen solid state;

Merchandise means:

- (1) all wares and commercial products or services which merchants routinely buy, sell and offer, except food, frozen food and flowers; and
- (2) which in the case of products are of a size that can readily be displayed or contained in or upon a cart;

Nonprotected franchise area zone means a franchise area zone which was not protected by a licensee at the last annual drawing under section 17-827, Section 961-303;

Owner of a cart Own or have an interest in means the person, firm, corporation, partnership or other legal entity which owns a cart licensed under this article. For purposes of the restrictions imposed on ownership of carts licensed under this article, the owner is any person or other entity who directly or indirectly owns or controls to control or have any influence over the management or operation of more than twenty (20) percent of the legal title or beneficial interest in the profits of a cart licensed under this article. chapter;

Protected franchise area zone means a franchise area zone which a licensee protected at the last annual drawing under section 17-827 Section 961-303; A franchise area can only be protected for one consecutive annual drawing.

Public Special event means a community outdoor gathering which is held on or makes use of city property, and which is designated and authorized pursuant to Article V or this chapter, in a public place within the central city with the approval of the appropriate governmental unit and includes, but is not limited to the Circlefest, Strawberry Festival, Black Expo, Mid-Summer Fest, 500 Festival Parade, White River Park State Games, Circle City Classic, Downtown Holiday Kickoff, and designated sporting events, whether indoors or outdoors.

Special event sponsor means an organization that is responsible for and undertakes the planning, organization or execution of a special event; and

Vendor's cart license means a franchise zone license, a commercial transaction zone license, or a special event license issued under this chapter.

~~DIVISION 2~~ ARTICLE II. VENDOR'S CART LICENSES

~~Sec. 17-808~~ 961-201. Vendor's cart licenses authorized.

(a) The controller is authorized to issue three (3) types of vendor's cart licenses pursuant to this ~~article~~ chapter as follows:

- (1) Franchise zone licenses ~~Food vendor's cart license~~, for retail sales of food, frozen foods, flowers and beverages merchandise from carts not located in commercial transaction zones;
- (2) Commercial transaction zone licenses ~~Frozen food vendor's cart license~~, for retail sales of food, frozen foods, flowers and merchandise from carts located in commercial transaction zones; and,
- (3) Special event licenses ~~Flower vendor's cart license~~, for retail sales of food, frozen foods, flowers and merchandise from carts located at special events.

(b) Each vendor's cart license shall be issued to a specific licensee for a specifically identifiable cart.

(c) The controller shall designate each cart as either a food cart, a frozen food cart, a flower cart, or a merchandise cart.

(ed) The controller shall report in writing to the council by the fifteenth day of January of each ~~calendar~~ year the number and type of licensed carts in the city on the last day of December of the preceding ~~calendar~~ year.

~~Sec. 17-809~~ 961-202. Application for a license.

(a) An application for a license provided in this ~~article~~ chapter, shall be verified by the applicant under penalties of perjury, and shall contain such information as the controller may prescribe, ~~including the following information:~~

(b) An application for a franchise zone license or a commercial transaction zone license shall include the following information:

- (1) The name under which the business is to be conducted;
- (2) The name and address of the applicant and, if a firm, the name and address of each partner, or if a corporation, the names and addresses of its resident agents and officers, and of all persons who own or have an interest in the owners of the cart as defined in section 17-807 Section 961-103; and,
- (3) A physical description of the cart for which the license is desired.

(c) An application for a special event license shall include the following information:

- (1) The name under which the business is to be conducted, and the name, address and telephone number of the person making the application; and
- (2) A physical description of the cart for which the license is desired.

~~Sec. 17-810~~ 961-203. Prerequisites to issuance of license.

The controller may consider the application only if ~~the following requirements are met:~~ (1) Applicable permits required by the Health and Hospital Corporation of Marion County and other regulatory agencies have been secured and are in force.

- (2) ~~The color and design of the cart (including signs, trash receptacles and umbrellas) and the uniform of the operator have been approved by the administrator of the division of development services for consistency with the objectives of this article.~~
- (3) ~~If the cart will be operated in the Regional Center, Regional Center approval has been secured from the department of metropolitan development.~~

Sec. ~~17-811~~ 961-204. Application fee; refund on denial.

(a) Each application for a license pursuant to this ~~division article~~ shall be accompanied by an application fee of ~~one hundred fifty dollars (\$150.00)~~; in an amount as follows:

- (1) For a franchise zone license, one hundred fifty dollars (\$150.00);
- (2) For a commercial transaction zone license, one hundred dollars (\$100.00); and,
- (3) For a licensee's first special event license in a calendar year, fifty dollars (\$50.00), and for a licensee's second and each subsequent special event license in a calendar year, twenty-five dollars (\$25.00).

(b) In the event the ~~action upon the application is favorable~~ license is granted, the application fee shall be retained by the controller as the first annual fee. In the event of a denial of the ~~application license, one hundred dollars (\$100.00)~~ fifty dollars (\$50.00), or twenty-five dollars (\$25.00) in the case of a special event license, of the application fee shall be ~~refunded with the remainder being retained to defray the administrative expense incurred in investigation and processing the application, and the remainder, if any, shall be refunded to the applicant.~~

Sec. ~~17-812~~ 961-205. Renewal fee.

(a) This section shall not apply to special event licenses, which are not renewable.

(b) Any qualified licensee not in violation of ~~the article this chapter~~ may annually renew the license for an additional year upon payment of an annual fee of ~~one hundred dollars (\$100.00)~~; in an amount as follows:

- (1) For a franchise zone license, one hundred dollars (\$100.00); and,
- (2) For a commercial transaction zone license, fifty dollars (\$50.00).

Sec. ~~17-813~~ 961-206. License period.

A franchise zone license and a commercial transaction zone license issued pursuant to this division shall be for a term ending December 31 of the calendar year in which it is issued; a special event license shall not exceed the term of the special event for which it is issued.

Sec. ~~17-814~~ 961-207. Effect of cessation of business.

No deductions shall be allowed from the fee for a license issued pursuant to this ~~division article~~ for any part of the term for which the licensee does not engage in such business.

Sec. ~~17-815~~ 961-208. Issuance and display of insignia.

(a) This section shall not apply to special event licenses.

(b) At the time the license is issued, the controller shall furnish an insignia for each cart consisting of a durable sign, not less than two (2) inches wide and three (3) inches long, upon which shall be inscribed "_____ Cart Vendor's License, Indianapolis, Indiana, _____," filling in the type of license, and the number of the license; the sign shall also identify the franchise zone or commercial transaction zone to which the license is allocated, and also the year during which the license shall be in force. Such sign shall be securely fastened in plain view on the outside of the cart. This sign may also indicate any limitations imposed by the controller on the operation of this cart.

Sec. ~~17-816~~ 961-209. Transferability.

(a) A license issued pursuant to this ~~division chapter~~ shall not be transferable to another licensee.

(b) A license may be permanently transferred to another cart with the permission of the controller and payment of a transfer fee of ~~fifty dollars (\$50.00)~~ twenty-five dollars (\$25.00).

(c) A license may be temporarily transferred to another cart for a total of not more than fourteen (14) days in any six (6) month period, if the licensee gives the controller written notice of the transfer; however, the time limitation provided in this section shall not apply to temporary transfers which are necessary because of breakdowns or other losses of a cart's use which are not attributable to the licensee.

Sec. 17-817 961-210. Bond, ~~i~~Insurance and indemnity.

(a) ~~A licensee shall provide a three thousand dollar (\$3,000.00) bond which is payable to the city and approved by the corporation counsel as to sureties and form. The bond shall be conditioned upon the faithful observance of all the provisions of this article and Code applicable to licensee and of all ordinances of the city and laws of this state concerning or regulating the merchandising and handling of the products so dealt in by the licensee; and it shall also be conditioned so as to indemnify any person obtaining a judgment against or accepting a settlement from the licensee because of any damage sustained on account of the violation by the licensee of any applicable terms of this article and Code or because of any misrepresentation or deception practiced upon such person by such licensee in operating the business.~~

(b) ~~If a person holds more than one (1) license, the same bond may be used for each of the licenses.~~

(ea) ~~The Each vendor's cart licensee shall provide a certificate of public liability insurance to the controller upon a form approved by the corporation counsel, insuring the licensee, and naming the City of Indianapolis, as co-insured, against the following liabilities and in the following amounts relative to such retail activity:~~

(1) ~~Personal injury: \$100,000.00/\$300,000.00; and~~

(2) ~~Property damage: \$25,000.00/\$50,000.~~

(db) ~~The licensee shall provide a document, approved by the corporation counsel, in which the licensee agrees to indemnify and hold harmless the city for losses or expenses arising out of the operation of carts.~~

Sec. 17-818. ~~Special events permits.~~

(a) ~~After December 31, 1989, the controller may issue special event permits to licensees under this division to operate at the sites of special events.~~

(b) ~~Upon request by any licensee or whenever the controller determines such permits are consistent with this article, the controller shall designate the number of such permits to be issued for such event and the duration of such permits.~~

(c) ~~The controller shall issue such permits in rotation to licensees.~~

(d) ~~Licensees receiving such special permits shall abide by such restrictions as the controller may impose on such permits and also comply with such restrictions as the special event sponsor may require.~~

(e) ~~Carts may not be operated or located in the area used for public events, or within four hundred (400) feet of such area unless the controller gives written permission. This written permission may set forth requirements and conditions which must be met by licensees.~~

Sec. 17-819 961-211. Restrictions on operation.

Each vendor's cart licensee, his agents and employees, shall comply with the following restrictions on cart operation:

(a) Limitations on selling include the following:

(1) Only beverages and food may be carried on or sold from a licensed food cart, only flowers from a licensed flower cart, and only frozen food from a licensed frozen food cart, and only merchandise from a licensed merchandise cart;

(2) Such retail sales shall not be accomplished by crying out or hawking;

- (3) A device may not be used which would amplify ~~or direct~~ sound, and in any area not in a commercial transaction zone, attention may not be drawn to such retail sales by any aural means or a light-producing device;
 - (4) Such retail sales may not be made to any person in or on any motorized vehicle; and,
 - (5) Beverages, dispensed in disposable cans, shall have any separable opening tabs removed at the time the cans are sold, unless otherwise requested by the purchaser.
- (b) *Prohibited locations include the following:*
- (1) No cart may be located in any public park or plaza, without written authorization from the governmental agency with general jurisdiction or control over ~~said~~ such park or plaza;
 - (2) The operator of a cart may not dispense ~~beverages or~~ food on the same side of the street within fifty (50) feet of a primary entry way into a ground level retail food establishment;
 - (3) No cart may be located ~~or make~~ nor any such retail sales ~~be made~~ in that part of a right-of-way utilized for motor vehicle traffic (commonly referred to as a street), a street median strip or an alleyway;
 - (4) No cart may be placed nor may such retail sales be made within twenty (20) feet of any posted bus stop, taxi stand, crosswalk, driveway or alleyway, within twenty (20) feet of the point at which the right-of-way lines of two (2) or more streets intersect or within six (6) feet of any building entrance, display window or walk-up window;
 - (5) No cart may be parked or located nor may food, frozen food, beverages, flowers or ~~food merchandise~~ be dispensed in a manner which would significantly impede or prevent the use of any ~~sidewalk or public area~~ city property, or which would endanger the safety or property of the public;
 - (6) ~~After December 31, 1989, carts shall be operated within the central city only within the franchise area for which a franchise permit has been issued for the cart pursuant to division 3 of this article. This provision does not prohibit a cart with such a franchise permit from also operating with Marion County outside of the central city. A cart with a franchise zone license shall be operated only within the franchise zone allocated under Section 961-303, or in any area not designated a franchise zone or commercial transaction zone: a cart with a commercial transaction zone license shall be operated only within the designated commercial transaction zone; and a cart with a special event license shall be operated only within the geographic boundaries of the special event; and~~
 - (7) the location of each merchandise vendor's cart not in a commercial transaction zone shall be approved by the controller.
- (c) *Operational requirements include the following:*
- (1) The licensee, his agents and employees shall be required to obey the commands of law enforcement officers or firemen with respect to activity carried out on ~~the sidewalks or public area~~ city property, including, where possible, the removal of the cart and cessation of such retail sales;
 - (2) ~~The cart~~ Wheeled carts not located in a commercial transaction zone must be taken removed from the sidewalk or public area city property when such retail sales are not being conducted;
 - (3) No wheeled cart may be permanently or temporarily affixed to any fixed object, and no stand may be permanently or temporarily affixed to any fixed object above ground level, including but not limited to buildings, trees, signs, telephone poles, streetlight poles, traffic signal poles or fire hydrants;
 - (4) Carts may be placed and any such retail sales may be made only on sidewalks which provide at least fourteen (14) feet of width from the curb line to the property line; provided that, a person licensed under this article may petition the ~~city~~ controller to allow operation of a cart ~~of on~~ a specified sidewalk having a width of less than fourteen (14) feet; ~~Such~~ petition may be

approved by the ~~city~~ controller only after the department of ~~transportation capital asset management~~ and the department of metropolitan development have approved the petition;

- (5) ~~Each cart must prominently display the license allowing such retail sales for public inspection at all times.~~
- (6) Each cart is to be operated by ~~one (1) and only one (1) person~~ no more than three (3) persons, and shall not be left unattended;
- (7) No cart may be used to advertise ~~the any product or service of another, which is not authorized to be sold from that cart; and,~~
- (8) ~~No cart shall display advertising decals or decorative embellishments not included in the original design approval.~~
- (9) Carts not located in a commercial transaction zone may not make use of any public or private electrical outlet while in operation or while located on ~~a street or sidewalk~~ city property.
- (d) General requirements include the following:
 - (1) Efforts shall be made by the licensee to protect ~~the sidewalk or public area~~ city property against littering; Each cart must have an adequate trash receptacle which is emptied sufficiently often to allow disposal of litter and waste by the public at any time; ~~The trash receptacle on the cart shall not be emptied into trash receptacles owned by the city; any liquid from a cart may not be discharged on or in a city sewer or drain or elsewhere on city property, nor on private property without the express written consent of the owner thereof;~~
 - (2) Pedestrians shall not be exposed to any undue safety or health hazard nor shall a public nuisance be created;
 - (3) Each cart shall be maintained free and clear of dirt, and finishes shall not be chipped, faded or unduly marred;
 - (4) Foods which present a substantial likelihood that liquid matter, particles or part of the food will drop to the street or sidewalk during the process of carrying or eating the food, shall be sold in proper containers; and,
 - (5) All carts licensed to sell food ~~or beverages~~ must place a nonporous material on the sidewalk beneath their carts in order such a manner as to prevent spillage from the cart, ~~staining or otherwise damaging stains or other damage to~~ the area around the carts. Acceptable materials include artificial turf, grass mats, or indoor/outdoor carpeting.

Sec. ~~17-820~~ 961-212. Restrictions on operation imposed by regulation.

The controller may by regulation impose appropriate conditions on the operation of carts by a licensee, his agent or employee in order to further the purposes of this ~~article~~ chapter, as follows:-

- (1) The controller ~~shall in accordance with this article~~ may by regulation limit the locations at which a cart may be operated or times during which a cart may be operated;
- (2) The controller ~~shall~~ may by regulation designate the kind of food, frozen food, flowers and ~~beverages~~ merchandise which may be sold; ~~The limits on the kind of retail sales which may be carried out established by the controller for one license may be different from those established for other licenses; The controller may make changes in the limits on the kind of retail sales which may be carried out at the end of the license term; and,~~
- (3) The controller may by regulation require compliance with other reasonable conditions.

Sec. ~~17-821~~ 961-213. Inspection.

Each licensee and employee of a licensee shall comply at all times with all statutes, ordinances and regulations relating to the operation of the carts and shall allow an inspection by persons assigned to such duty by the health and hospital corporation, ~~the division of code enforcement,~~ a department of the state or

the controller. If, upon inspection, any food, frozen food, beverages, flowers or food merchandise shall be found unwholesome, stale, diseased, spoiled or otherwise unfit for its intended purpose, the products shall forthwith be condemned and removed by the licensee from the ~~vehicle~~ cart or other place where found and destroyed; such products shall be neither sold nor given away.

Sec. ~~17-822~~ 961-214. Identification cards.

(a) This section shall not apply to special event licenses.

(b) Each licensee shall file with the controller the name and address together with two (2) photographs, two (2) inches by two (2) inches, of each employee who will be operating a cart and shall obtain from the controller an identification card for each employee. The identification card shall show the name and address of the employee, his the employee's photograph and the name and address of the holder of the cart license. The identification card shall be carried by the employee during all times ~~he~~ the employee operates a cart and shall be exhibited at any time on demand.

Sec. ~~17-823~~ 961-215. Compliance with law.

As to each licensee, his agent or employee, under this ~~article~~ chapter and each person so engaged in or operating any of the kinds of business covered by this ~~article~~ chapter, each person shall comply with and obey all provisions of this Code and zoning ordinances which are at any time applicable thereto, and any other ordinances and all statutes relating to such business and to the conduct thereof.

Sec. ~~17-824~~. ~~Restrictions on licensing which would tend to lessen competition.~~

~~No person who is in any way associated with one licensee under this article may be in any way associated with another licensee. For the purposes of this subsection, "associated with" means to have any financial interest in, to have any influence over the management or operation of, or to be an officer, employee or agent for a licensee. Violation of the provisions of this subsection shall be grounds for the denial of the application of any applicant and the immediate revocation of the license of any licensee.~~

DIVISION 3. CENTRAL CITY FRANCHISES
ARTICLE III. FRANCHISE ZONES: ALLOCATION OF LICENSES

Sec. ~~17-825~~. Central city permits.

(a) ~~The controller shall issue central city franchise permits to the food cart vendor licensees for the respective franchise areas allocated through the process provided in section 17-827.~~

(b) ~~The controller may issue central city franchise permits to not more than ten (10) frozen food cart vendor licensees. Such permits shall designate the franchise areas in which the permittee may operate. If more than ten (10) frozen food cart vendor licensees request such permits, the controller shall conduct a random drawing among the licensees in a manner similar to that provided in section 17-827.~~

(c) ~~The controller may issue central city franchise permits to not more than ten (10) flower cart vendor licensees. Such permits shall designate the franchise areas in which the permittee may operate. If more than ten (10) flower food cart vendor licensees request such permits, the controller shall conduct a random drawing among the licensees in a manner similar to that provided in section 17-827.~~

(d) ~~No person shall be issued more than three (3) food cart vendor's licenses, more than two (2) frozen food cart vendor's licenses, more than two (2) flower cart vendor's licenses, or more than a total of four (4) licenses under this section.~~

Sec. ~~17-826~~ 961-301. Franchise ~~areas~~ zones designated.

(a) ~~The central city, and other areas of the city designated by the director of the department of metropolitan development, shall be divided into distinct franchise areas. The city controller on or before July 15, 1989, and thereafter bBefore July 15 of each any year (and within sixty (60) days after other areas may be designated) the controller shall divide the central city into not less than thirty (30) fifteen (15) nor more than fifty (50) distinct franchise ~~areas~~ zones and certify to the clerk of the council a map showing the boundaries of each franchise ~~area~~ zone. The franchise zones shall not include any geographic areas within commercial transaction zones designated under Article IV of this chapter.~~

(b) The purposes of establishing such franchise areas zones are to allow the operation of carts for benefit to the residents of the city as a whole by promoting pedestrian traffic in the downtown, making the downtown visually more attractive and making a product conveniently available to members of the public without creating disadvantages for residents of the city by creating a health or safety hazard or unreasonably impeding pedestrian flow.

(c) The total number of franchise areas zones which are established hereunder are based on consideration of the following:

- (1) The effect on pedestrian flow and safety in public areas and sidewalks;
- (2) The effect on promoting pedestrian traffic and making the downtown visually more attractive;
- (3) The effect upon the business of existing licensees and other retail sales of food, frozen food, beverages, flowers and food merchandise; and,
- (4) Whether the public is being adequately served by existing licensees and other retail sale of food, frozen food, flowers or beverages merchandise.

(d) ~~Each franchise area shall be configured to accommodate a single food cart vendor. Two (2) food cart vendors may be permitted in a single franchise area if the controller determines there to be no rational basis for dividing it into two (2) areas. Each franchise area shall be numbered consecutively, and if two (2) food vendor carts are to be numbered consecutively, and if two (2) food vendor carts are to be permitted in an area shall be designated by the number (2) in parenthesis following the area number.~~

(ed) On or before August 15 of the year franchise areas zones are certified by the controller, the council may amend such areas zones. Such franchise areas zones as amended, or as certified if not so amended, shall be in effect until the next certifications hereunder.

Sec. 961-302. Designation of additional franchise zones.

(a) The controller at any time may designate additional franchise zones located outside the central city by certifying to the clerk of the council a map showing the boundaries of the additional franchise zones.

(b) Unless otherwise provided in this section, such additional franchise zones shall be subject to the same procedures, conditions and restrictions established for franchise zones under Section 961-301 and Section 961-303 of this article.

(c) A franchise zone licensee may request that the controller designate an additional franchise zone outside the central city, and allocate the licensee's license to that zone.

(d) If the controller designates the zone pursuant to the request and if the licensee is otherwise eligible and qualified under this chapter, then the controller shall allocate the licensee's license to the franchise zone for the balance of that calendar year and the entirety of the next two (2) subsequent calendar years. At the end of the second subsequent calendar year, the zone shall become a nonprotected franchise zone, and a license or licenses shall be allocated to it in the same manner as provided in Section 961-303.

(e) The boundaries of a franchise zone designated pursuant to a request under this section shall not be less than two hundred fifty (250) feet in each direction from the site of the licensee's cart.

Sec. 47-827 961-303. Allocation of franchise areas zone licenses among zones.

(a) ~~On or before August 20, 1989, and thereafter on or before August 20 1 of each year, the holder of a licensee in any nonprotected franchise zone may notify the controller in writing that the holder licensee elects to protect remain in such nonprotected franchise area zone for the next annual license period calendar year. If such holder licensee is otherwise qualified for renewal of that license, the controller shall allocate such franchise area zone license to such holder zone as a protected franchise area zone.~~

(b) A franchise zone can only be protected for one consecutive annual drawing.

(bc) ~~Between September 1 and September 30, 1989, and thereafter between September 1 and September 30 of each year, the controller shall conduct a public drawing of all franchise zone licenses.~~

whether designated as food carts, frozen food carts, flower carts or merchandise carts, to allocate them among all nonprotected franchise areas zones for a term beginning January 1 and ending December 31 of the following year. Within a single franchise zone, the controller may not allocate more than two (2) food cart licenses, one (1) frozen food cart license, one (1) flower cart license, and one (1) merchandise cart license.

(ed) At least twenty (20) days prior to the public drawing, the controller shall give notice of such drawing by mail to each ~~food vendor's cart~~ franchise zone licensee and by publication as provided in IC 5-3-1-2(i). Such notice shall state the time, date and place of the drawing, a list of all franchise ~~areas~~ zones available for selection at such drawing, and a general description of the method by which the drawing shall be conducted.

(de) Each franchise zone licensee, whose license is not assigned to a protected franchise ~~area~~ zone, may participate in the drawing by paying a participation fee of twenty-five dollars (\$25.00) per license before September 1 of the year of a drawing. Such fee shall be nonrefundable. Participating licensees and non-protected franchise ~~areas~~ zones shall be drawn at random. Successful participants may, within forty-eight (48) hours after the drawing, trade franchise ~~areas~~ zones. The remaining licensees shall be drawn and shall be eligible in that order for any franchise ~~areas~~ zones becoming available before the next drawing, except a zone created pursuant to a request by a licensee under Section 961-302. It shall be unlawful for any participant to offer or accept any thing of value as consideration for trading franchise ~~areas~~ zones.

Sec. 17-828. Franchise permit.

Whenever a central city franchise permit is issued, the controller shall furnish insignia to be affixed to the cart which shall identify the franchise area in which the cart is permitted to operate.

Sec. 961-304. Restriction on licensee's number of carts.

(a) Within the geographic areas of all franchise zones designated pursuant to this article, no person may own or have an interest in more than three (3) food carts, more than three (3) frozen food carts, more than three (3) flower carts, or more than three (3) merchandise carts.

(b) A violation of this section shall be grounds for the denial of the application of any applicant and the immediate revocation of the license of any licensee.

Sec. 17-829 961-305. Restrictions on operations in franchise areas zones.

(a) Hours of operation. ~~Operators of carts selling food and beverages may place their carts for operation anytime and anywhere in the licensee's franchise area except that between 11:00 a.m. and 1:30 p.m., Monday through Friday, carts from which food or beverage are sold may be placed for operation only within two (2) locations specified by the controller in each franchise area. One (1) location shall be on or directly abutting a public park or place within such franchise area as directed by the controller. The boundaries of these locations shall be defined by the controller. In each dual franchise area, the controller, shall schedule the two (2) carts for the locations in such a manner so that each licensee has approximately equal access to business opportunities (e.g., each cart at one (1) location on alternate days).~~

(ba) Separation of carts. Within a single franchise zone, and at any place not in a commercial transaction zone, a A cart may not be placed for operation within one hundred (100) feet of another cart of the same designation, or at a location within forty (40) feet of a place where another cart of a different designation is placed for operation. Where two (2) or more carts are so located, the cart which has been most recently located in violation of this provisions shall be required to move so as not to be in violation.

(eb) Prohibited locations. At any place not in a commercial transaction zone, a A cart may not be placed for operation at a location directly in front of the primary entrance to a retail business, office building or church. The area in which a cart may not be placed is defined by the doorway line, lines running on either side of the door to the nearest curb, and the curb lines.

(dc) City Market Square. During the hours from 6:00 a.m. to 6:00 p.m., Monday through Saturday, except holidays when the City of Indianapolis offices or Marion County offices are closed, carts may not be located or operated within an area bounded as follows: on the north—The by the north right-of-way line of

Ohio Street, ~~on the south—The by the south right-of-way line of Market Street,~~ on the west—The by the west right-of-way line of Delaware Street, and ~~on the east—The by the east right-of-way line of Alabama Street.~~

ARTICLE IV. COMMERCIAL TRANSACTION ZONES; LICENSES

Sec. 961-401. Establishment of the Circle Centre Zone.

A commercial transaction zone to be known as the "Circle Centre Zone" is hereby established. The Circle Centre Zone shall be comprised of all city property which lies within the following area:

- (1) (On the north) beginning at the intersection of the west right-of-way line of Illinois Street and the center line of Market Street; thence east along the center line of Market Street to the inside right-of-way line of Monument Circle on the west side of the monument; thence curving in a southeasterly direction along the inside right-of-way line of Monument Circle to a point where it intersects with the center line of Meridian Street on the south side of the monument; thence in a straight line southeast to the intersection of the outside right-of-way line of Monument Circle and the east right-of-way line of Meridian Street; thence south along the east right-of-way line of Meridian Street to the north right-of-way line of Washington Street; thence east along the north right-of-way line of Washington Street a distance of approximately two hundred and ten (210) feet to a point mid-way between Meridian Street and Pennsylvania Street;
- (2) (On the east) thence south in a straight line to the north right-of-way line of the Consolidated Rail Corporation (Conrail) which runs through Union Station;
- (3) (On the south) thence west along the north right-of-way line of the Consolidated Rail Corporation to the center line of Capitol Avenue;
- (4) (On the west) thence north along the center line of Capitol Avenue to the south right-of-way line of Chesapeake Street; thence east along the south right-of-way line of Chesapeake Street a distance of approximately two hundred and fifty-six (256) feet to a point mid-way between Capitol Avenue and Illinois Street; thence north in a straight line a distance of approximately eight hundred and ninety (890) feet to the north right-of-way line of Washington Street; thence east along the north right-of-way line of Washington Street to the west right-of-way line of Illinois Street; thence north along the west right-of-way line of Illinois Street to the center line of Market Street.

Sec. 961-402. Establishment of the Canal Walk Zone.

A commercial transaction zone to be known as the "Canal Walk Zone" is hereby established. The Canal Walk Zone shall be comprised of all city property which lies within the following boundaries:

- (1) Two hundred and fifty (250) feet on either side of the canal, measured from the center line; and,
- (2) From the south right-of-way line of Eleventh Street on the north, to the White River on the south.

Sec. 961-403. Establishment of additional commercial transaction zones.

In addition to the Circle Centre Zone and the Canal Walk Zone, the controller may establish additional commercial transaction zones, the boundaries of which shall be subject to the approval of the council.

Sec. 961-404. Commercial transaction zone licenses; management.

(a) The controller shall issue commercial transaction zone licenses, subject to the procedures, conditions and restrictions provided for vendor's cart licenses under Article II of this chapter.

(b) In addition to the license required by this chapter, the controller may condition the licensee's activities on the grant of a license with respect to the real property upon which the licensee's cart would be located.

(c) The controller may enter into a professional services agreement for the discharge of the duties of the controller with respect to commercial transaction zone licenses. In any such agreement, the controller

shall retain authority to oversee the activities of licensees, including the responsibility for enforcement of this chapter.

Sec. 961-405. Restriction on licensee's number of carts.

No person may own or have an interest in more than one (1) cart in a commercial transaction zone, or twenty (20) percent of the carts in a commercial transaction zone, whichever is greater.

ARTICLE V. SPECIAL EVENTS: LICENSES

Sec. 961-501. Designation of special events.

(a) Each year, the controller shall designate and authorize the following events as special events under this article:

- (1) The 500-Mile Race Festival;
- (2) Circlefest;
- (3) The Indiana Black Expo concert;
- (4) The Mid-Summer Fest;
- (5) The St. Patrick's Day Parade;
- (6) The Circle City Classic Parade; and,
- (7) The Celebration of Lights.

(b) With respect to each of the special events designated in this section, the controller shall exercise the duties and authority provided for the controller in this article.

(c) The controller may designate and authorize special events other than those listed in this section under the authority and procedures provided in this article.

Sec. 961-502. Authorization of special events; conditions.

(a) Prior to its occurrence, a special event must be designated and authorized by the controller. To determine whether a special event should be authorized, the controller shall consult with city officials responsible for traffic control, public safety, and right-of-way clean-up and maintenance, and further may request or receive recommendations from any special event sponsor. The controller may specify reasonable conditions to the approval of a special event.

(b) The authorization shall be issued in writing and shall prescribe the geographic boundaries, conditions, and duration of the special event.

Sec. 961-503. Special event licenses.

(a) With the assistance and recommendation of the special event sponsor, the controller is authorized to issue special event licenses, and may:

- (1) Designate a specific location for each licensee under this article to engage in licensed activities pursuant to this section; and,
- (2) Approve a list of the food, frozen food, flowers and merchandise which licensees under this article are authorized to sell.

(b) Notwithstanding any other provision of this code, licensees under this article shall be permitted to engage in licensed activities upon city property within the geographic boundaries during the term of the special event, subject to any applicable conditions or restrictions imposed under this article or sections 961-211 and 961-212.

Sec. 961-504. Activities of Vendor's cart licensees during special events.

(a) Notwithstanding any other provision of this code, a franchise zone licensee or commercial transaction zone licensee whose zone is at least in part included within the geographic boundaries of a special event, and who desires to engage in licensed activities during the special event, may do so with the written approval of the controller, in consultation with the special event sponsor.

(b) Such licensee:

(1) Shall not be required to obtain a special event license in addition to the franchise zone license or commercial transaction zone license; and,

(2) May engage in licensed activities during the term and within the geographic boundaries of the special event, subject to any conditions or restrictions imposed by the controller.

(c) A vendor cart licensee who has not been issued a special event license and who has not received written approval of the controller as provided in this section, may not engage in activities under the vendor cart license within the geographic boundaries or during the term of a special event.

Sec. 961-505. Display of license and prices; violations.

(a) Prior to the commencement of the special event, the controller shall issue special event licenses to licensees.

(b) Throughout the duration of the special event, each licensee shall display the license on the cart in public view as a means of identification, and post a list of the licensee's prices.

(c) It shall be unlawful for any licensee to fail to display the special event license, or to charge prices in excess of the posted prices, as required by this section. Each day a violation of this section continues shall constitute a separate offense, and shall be punishable as provided by Sec. 103-3 of this code.

DIVISION 4 ARTICLE VI. REVOCATION AND ENFORCEMENT

Sec. ~~17-830~~ 961-601. Revocation of license for nonuse.

(a) This section shall only apply to franchise zone licenses.

(b) The controller may, following a hearing, revoke any ~~food vendor's cart~~ franchise zone license if that cart has not been used ~~annually~~ for retail sales for the minimum number of days indicated at specified dates, as follows:

Minimum Days of Use _____ Dates

(1) Twenty (20) days by May 1;

(2) Fifty (50) days by July 1; and,

(3) Eighty (80) days by September 1.

Sec. ~~17-831~~ 961-602. Revocation of license for violation of requirements.

The controller may, after a hearing, revoke a license for a cart or, if appropriate, revoke all of the licenses for carts held by a single licensee, if it is found:

(1) The application contained a material misstatement;

(2) The licensee, his agent or employee is not currently complying with ~~section 17-806~~ sections 961-102, 961-211, or 17-826 961-305;

(3) The licensee, his agent or employee has been found to have violated a health code or zoning requirement while operating a cart;

- (4) The licensee, his agent or employee is in significant violation of any section of or any regulation promulgated under, this article chapter; or
- (5) The licensee, his agent or employee has been found to be in violation of section 17-6 of this chapter the code.

Sec. ~~17-832~~ 961-603. Penalty for violations.

(a) Any violation of any provision of this ~~article chapter~~ shall be subject to the general penalty for violating this Code as contained in section ~~1-8 103-3~~. Any license issued pursuant to this ~~article chapter~~ may be suspended or revoked by the controller as provided by ~~Division 4~~ of this article.

(b) Each day a violation of this chapter continues shall constitute a separate offense.

(bc) Any three (3) ~~convictions judgments~~ of violations of ~~Article XXIII of the Code of Indianapolis and Marion County, Indiana~~ this chapter, or of regulations ~~issued promulgated~~ by the controller under this chapter, within any twelve-month period of time shall be an automatic cause for license revocation of that vendor's cart license for the balance of the current licensee period with no repayment of licensing fees.

Sec. ~~17-833~~ 961-604. Appeals to license review board.

A decision of the controller made under ~~section 17-811, 17-830, Sections 961-204, 961-304, 961-601 or 17-831 961-602~~ is appealable to the license review board pursuant to section 17-68 of ~~this chapter the code~~. Other decisions made by the controller under this ~~article chapter~~ are not appealable to the license review board.

SECTION 2. Article IV of Chapter 17 (Sections 17-111 through and including 17-149) of the "Code of Indianapolis and Marion County, Indiana" concerning the 500 Festival, is hereby superseded and repealed as of the effective date of this ordinance.

SECTION 3. Article III of Chapter 22 (Sections 22-51 through and including 22-58) of the "Code of Indianapolis and Marion county, Indiana" concerning the designation of food and beverage concessionaires at amateur athletic events, is hereby superseded and repealed as of the effective date of this ordinance.

SECTION 4. Article IX of Chapter 20 (Sections 20-208 through and including 20-210) of the "Code of Indianapolis and Marion County, Indiana" concerning the sale of tickets for the National Football League's "1992 Super Bowl" exhibition at the RCA Dome, is hereby repealed as of the effective date of this ordinance.

SECTION 5. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted. Notwithstanding the foregoing, each franchise area established under Section 17-826 of the "Code of Indianapolis and Marion County, Indiana" which is in whole or in part contiguous with the area of a commercial transaction zone established under Article IV herein, shall be reduced in size to exclude the area of the commercial transaction zones.

SECTION 6. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 7. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

Councillor Short asked for consent for Proposal No. 802, 1995 to be moved up on the agenda due to visitors in the audience. Consent was given.

PROPOSAL NO. 802, 1995. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 802, 1995 on December 4, 1995. The proposal approves extension of cable franchise of American Cablevision of Indianapolis until June 1, 1996. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor McClamroch, for adoption. Proposal No. 802, 1995 was adopted on the following roll call vote; viz:

23 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Golc, Gray, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Smith, Tilford, West, Williams

0 NAYS:

5 NOT VOTING: Giffin, Gilmer, Hinkle, Shambaugh, Short

1 ABSENT: Jones

Proposal No. 802, 1995 was retitled SPECIAL RESOLUTION NO. 106, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 106, 1995

A SPECIAL RESOLUTION approving an extension of the expiration date of the cable franchise of American Cablevision of Indianapolis until June 1, 1996.

Whereas, the current cable franchise of Time-Warner Entertainment-Advance/Newhouse Partnership, d.b.a. American-Cablevision of Indianapolis (the operator) will expire on February 19, 1996; and

Whereas, formal renewal proceedings under Federal Law have been suspended while informal negotiations are proceeding between the City and the operator; and

Whereas, formal proceedings under Federal Law should resume four months prior to the expiration of the franchise; now, therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Upon recommendation of the Cable Franchise Board, the Chairman of the Cable Franchise Board and the Mayor are authorized to execute an extension of the operator's cable franchise until June 1, 1996, upon such terms as will protect the rights of both parties to the formal renewal proceedings as set forth in Federal Law.

Councillor Curry asked for consent for Proposal No. 764, 1995 to be moved up on the agenda due to interested parties in attendance. Consent was given.

PROPOSAL NO. 764, 1995. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 764, 1995 on December 4, 1995. The proposal approves an information technology operating agreement between the City/County and the SCT Software and Resource Management Corporation. Councillor Curry explained the 16-month process of evaluation of what was needed and subsequently of the proposal bids which resulted in the choice of SCT. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Curry moved, seconded by Councillor Beadling, for adoption. Proposal No. 764, 1995, as amended, was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, McClamroch, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams

0 NAYS:

3 NOT VOTING: Giffin, Golc, Moriarty Adams

1 ABSENT: Jones

Proposal No. 764, 1995, as amended, was retitled SPECIAL ORDINANCE NO. 22, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 22, 1995

A SPECIAL ORDINANCE authorizing an Information Technology Operating Agreement made and entered into by the City of Indianapolis and Marion County, Indiana, acting by and through the Information Services Agency ("ISA") Board, ("City-County") and SCT Software and Resource Management Corporation ("SCT").

WHEREAS, the City-County received proposals from parties interested in operating, maintaining, and managing the City/County's information services facilities, including data center, data network, LAN/desktop/server facilities and components, help desk, disaster recovery facilities, education and training, applications development/maintenance functions, data administration functions, technology framework functions, and security functions; and

WHEREAS, SCT's response to the Request for Proposal was selected by the City-County because of SCT's experience, knowledge and resources in providing information services to local governments in an efficient, cost-effective and controlled manner with a high degree of quality and responsiveness; and

WHEREAS, the City-County and SCT have negotiated the terms by which SCT would operate, maintain, and manage the City-County's information services facilities, and such terms are in the proposed operating agreement which is in substantially final form and is on file with the Clerk of the Council; and

WHEREAS, IC 36-1-14.3-9 requires that the Operating Agreement be approved by the City-County Council; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council hereby approves the operation, maintenance, and management of the City-County's information services facilities pursuant to the terms of the Operating Agreement which is in substantially final form and is on file with the Clerk of the Council.

SECTION 2. The Council hereby delegates to the ISA Board the authority to approve changes to the Operating Agreement prior to the Effective Date, provided that the net financial impact of such changes shall not increase the costs defined in Section 10.1 and Schedule C of the Operating Agreement by more than ten (10) percent. The Council also delegates to the ISA Board, acting by and through its chair, the authority to execute the Operating Agreement.

SECTION 3. This Resolution shall be effective upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 755, 757, 758 and 759, 1995 Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 755, 757, 758 and 759, 1995 on December 11, 1995. PROPOSAL NO. 755, 1995. The proposal allows for an appropriation of \$150,000 for the County Sheriff to pay the increased food expense due to a larger inmate population financed by transfers of other appropriations within the department's County General Fund. By a 6-0 vote, the Committee reported the proposal to the Council with recommendation that it do pass as amended. PROPOSAL NO. 757, 1995. The proposal approves an appropriation of \$38,300 for the Prosecutor's Child Support IV-D Agency to cover contractual consultant expense financed by transfers of appropriations within the agency's County General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with recommendation that it do pass. PROPOSAL NO. 758, 1995. The proposal calls for an appropriation of \$900 for the Superior Court, Criminal Division, Room Four, to pay for maintenance agreement, postage,

and electrical work expenses financed by a transfer within the court's County General Fund. By an 8-0 vote, the Committee reported the proposal to the Council with recommendation that it do pass. PROPOSAL NO. 759, 1995. The proposal corrects Fiscal Ordinance No. 177, 1995 for the Superior Court, Criminal Division, Probation Department. By an 8-0 vote, the Committee reported the proposal to the Council with recommendation that it do pass.

Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal Nos. 755, 757, 758 and 759, 1995 were adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Golc*

1 ABSENT: *Jones*

Proposal No. 755, 1995 was retitled FISCAL ORDINANCE NO. 141, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 141, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional One Hundred Fifty Thousand Dollars (\$150,000) in the County General Fund for purposes of the County Sheriff and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (z) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff for food due to increased number of prisoners in the lockup and County Jail.

SECTION 2. The sum of One Hundred Fifty Thousand Dollars (\$150,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	30,000
3. Other Services and Charges	<u>120,000</u>
TOTAL INCREASE	150,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>150,000</u>
TOTAL DECREASE	150,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 757, 1995 was retitled FISCAL ORDINANCE NO. 142, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 142, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Thirty-eight Thousand Three

Hundred Dollars (\$38,300) in the County General Fund for purposes of the Prosecutor's Child Support IV-D Agency and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (x) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecutor's Child Support IV-D Agency for contractual consultants to make recommendations for reorganization and re-engineering of that office.

SECTION 2. The sum of Thirty-eight Thousand Three Hundred Dollars (\$38,300) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>PROSECUTOR'S CHILD SUPPORT IV-D AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>38,300</u>
TOTAL INCREASE	38,300

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>PROSECUTOR'S CHILD SUPPORT IV-D AGENCY</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	<u>6,800</u>
4. Capital Outlay	<u>31,500</u>
TOTAL DECREASE	38,300

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 758, 1995 was retitled FISCAL ORDINANCE NO. 143, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 143, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Nine Hundred Dollars (\$900) in the County General Fund for purposes of the Superior Court, Criminal Division, Room Four and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (hh) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Room Four for maintenance agreement, postage and electrical work expense.

SECTION 2. The sum of Nine Hundred Dollars (\$900) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FOUR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>900</u>
TOTAL INCREASE	900

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FOUR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>900</u>
TOTAL DECREASE	900

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 759, 1995 was retitled FISCAL ORDINANCE NO. 144, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 144, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Four Thousand Dollars (\$4,000) in the County General Fund and transferring and appropriating an additional Four Thousand Dollars (\$4,000) in the Supplemental Adult Probation Use Fee Fund to correct Fiscal Ordinance No. 117, 1995 for purposes of the Superior Court, Criminal Division, Probation Department and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (II) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Probation Department to correct Fiscal Ordinance No. 117, 1995.

SECTION 2. The sum of Eight Thousand Dollars (\$8,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION</u>	<u>SUPPLEMENTAL ADULT</u>
<u>PROBATION DEPARTMENT</u>	<u>PROBATION USER FEES</u>
3. Other Services and Charges	4,000
TOTAL INCREASE	4,000
<u>SUPERIOR COURT, CRIMINAL DIVISION</u>	<u>COUNTY GENERAL FUND</u>
<u>PROBATION DEPARTMENT</u>	
4. Capital Outlay	4,000
TOTAL INCREASE	4,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, CRIMINAL DIVISION</u>	<u>COUNTY GENERAL FUND</u>
<u>PROBATION DEPARTMENT</u>	
3. Other Services and Charges	4,000
TOTAL DECREASE	4,000
<u>SUPERIOR COURT, CRIMINAL DIVISION</u>	<u>SUPPLEMENTAL ADULT</u>
<u>PROBATION DEPARTMENT</u>	<u>PROBATION USER FEES</u>
4. Capital Outlay	4,000
TOTAL DECREASE	4,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 776, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 776, 1995 on December 11, 1995. The proposal approves the disbursement of \$731,949 from the Drug Free Community Fund for various county agencies. An amendment was made to include the Beech Grove School program as one of the agencies to receive funds and a reduction in total dollars to \$729,232.75. By a 7-1 vote, the Committee reported the proposal to the Council with a recommendation that it do pass as amended.

Councillor Jimison added that she had voted against the passage of Proposal No. 776, 1995 because of her dissatisfaction with the way the I-Challenge and the Marion County Justice Agency Board have handled things in the past. She feels the Council needs to be better stewards of the taxpayers' money than to continue to fund an agency that repeatedly experiences questionable and seemingly invalid non-productivity. Continuing to grant funding to their projects will not resolve the problem that exists between I-Challenge and the Justice Agency.

The President asked Councillor West to qualify the group I-Challenge. Councillor West explained that court fees were collected in each county for drug-related cases and were paid into a central fund which may be used for prevention (25%), treatment (25%), justice or law enforcement through courts (25%), and the final 25% can be spent in any of the three areas. Councillor West agreed that there was lack of communication between the groups, but that I-Challenge was a valid agency which was governed by state law and more communication was definitely needed.

Councillor Dowden agrees with Councillor Jimison that the State needs to re-visit how the I-Challenge program has been established because he feels some changes do need to be made.

Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 776, 1995, as amended, was adopted on the following roll call vote; viz:

20 YEAS: Beadling, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West
5 NAYS: Black, Boyd, Gray, Jimison, Williams
3 NOT VOTING: Giffin, Golc, Hinkle
1 ABSENT: Jones

Proposal No. 776, 1995, as amended, was retitled SPECIAL RESOLUTION NO. 107, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 107, 1995

A SPECIAL RESOLUTION approving the disbursement of Seven Hundred Twenty-nine Thousand, Two Hundred and Thirty-two Dollars and Seventy-five Cents (\$729,232.75) from the Drug Free Community Fund for purposes of various Marion County agencies.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To adopt the recommendations of the I-Challenge Board to various agencies as recommended by the Marion County Justice Board on November 6, 1995.

SECTION 2. The following recommendations are hereby approved:

GIRLS INC. OF INDPLS: \$42,877.00

COMMUNITY CTRS. OF INDPLS: \$47,350.00

PERRY TWP. FAMILIES IN ACTION: \$ 14,879.00

GREATER INDPLS COUNCIL ON ALCOHOLISM: \$23,584.00

KALEIDOSCOPE: \$ 41,484.00

December 11, 1995

MARTIN UNIVERSITY: \$56,202.00

COMMUNITY ADDICTION SVCS. OF INDIANA: \$75,246.25

SOUTHSIDE YOUTH COUNCIL: \$ 49,911.00

MARION COUNTY PROSECUTOR'S OFFICE: \$103,000.00

MARION COUNTY JUSTICE AGENCY: \$ 70,000.00

INDIANAPOLIS POLICE DEPT.: \$19,500.00

MARION COUNT DRUG COURT: \$64,000.00

MOTHERS AGAINST DRUNK DRIVING: \$5,000.00

MARION COUNTY FORENSICS SERVICES: \$104,474.50

BEECH GROVE SCHOOLS: \$11,725.00

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 781, 1995 Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 781, 1995 on December 11, 1995. The proposal corrects Fiscal Ordinance No. 100, 1995 for the Prosecuting Attorney and the County Auditor. Councillor Dowden explained that the correction was to put personal services fringes in the proper category in the County Auditor's budget through a State federal grant that had inadvertently been placed in the Prosecuting Attorney's personal services. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 781, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:
2 NOT VOTING: *Giffin, Golc*
1 ABSENT: *Jones*

Proposal No. 781, 1995 was retitled FISCAL ORDINANCE NO. 145, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 145, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Seventeen Thousand Five Hundred Dollars (\$17,500) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and County Auditor and reducing certain other appropriations for those agencies.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(w,b) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney and County Auditor to amend Fiscal Ordinance No. 100 which transferred appropriations out of fringes instead of salaries. State and Federal Grant involved is the Traffic Safety Program.

SECTION 2. The sum of Seventeen Thousand Five Hundred Dollars (\$17,500) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services - fringes	<u>17,500</u>
TOTAL INCREASE	17,500

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	<u>17,500</u>
TOTAL DECREASE	17,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 784, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 784, 1995 on December 5, 1995. This proposal amends the Comprehensive Zoning Maps of Marion County by updating base maps #7, #8, #10, and #15. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Gilmer, for adoption. Proposal No. 784, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*
0 NAYS:
2 NOT VOTING: *Giffin, Golc*
1 ABSENT: *Jones*

Proposal No. 784, 1995 was retitled GENERAL ORDINANCE NO. 216, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 216, 1995

AN ORDINANCE to amend the Code of Indianapolis and Marion County, Appendix D, Part 21, as amended, the Zoning Ordinance for Marion County, Indiana which Ordinance includes the Comprehensive Zoning Maps of Marion County, Indiana, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana Ordinances for the zoning or districting of all lands within the County for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Comprehensive Zoning Maps of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 70-AO-4, as amended, pursuant to IC 36-7-4, be further amended to update specifically base maps #7, #8, #10, and #15 of said maps to include subsequent rezonings (which Comprehensive Zoning Maps, as amended, are attached hereto, incorporated herein by reference and made a part of this Ordinance); and all land within the area noted

on the four sections of base map #7, the four sections of base map #8, the four sections of base map #10, and the four sections of base map #15 are hereby classified, divided and zoned in accordance with the zoning district classifications as designated upon said Comprehensive Zoning Maps, as amended, thereby updating said Comprehensive Zoning Maps to include various rezonings by individual legal description or map amendments adopted subsequent to Metropolitan Development Commission docket number 87-AO-2.

SECTION 2. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal any individually initiated rezoning ordinances approved by the City-County Council subsequent to August 1, 1995, and thereafter legally effective (which rezoning by individual legal description have not been mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said Maps in a subsequent map updating amendment hereto).

SECTION 3. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal Airport Zoning Ordinance (94-AO-2, which includes the language of the former Airspace District Zoning Ordinance [62-AO-2] as amended) and the Airspace District Map adopted as a part thereof, establishing the Airspace District as a secondary zoning district of Marion County, Indiana.

SECTION 4. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal the Floodway and Floodway District Fringe zoning district boundaries, as adopted under Metropolitan Development Commission docket number 92-AO-7.

SECTION 5. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

PROPOSAL NO. 531, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 531, 1995 on several occasions, the last meeting being on December 6, 1995. This proposal empowers the Board of Capital Asset Management to promulgate rules and regulations concerning the administration of public construction contracts. Councillor Gilmer explained the proposal required any contractor to bring to the attention of the DCAM staff and engineers any savings in the method of construction, and that the savings be split 50-50 by the contractor and the City. By a 6-0 vote, the Committee reported the proposal to the Council with a recommendation that it do pass as amended. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 531, 1995, as amended, was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

3 NOT VOTING: *Brents, Giffin, Golc*

1 ABSENT: *Jones*

Proposal No. 531, 1995, as amended, was retitled GENERAL ORDINANCE NO. 217, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 217, 1995

A GENERAL ORDINANCE empowering the Board of Capital Asset Management to promulgate rules and regulations concerning the administration of public construction contracts.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 271-25 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by inserting the language underlined to read as follows:

Sec. 271-25. Powers.

The capital asset management board shall:

- (1) Review all budgets of the metropolitan thoroughfare district and the department prepared for or proposed by the department and shall recommend to the city-county council any revisions or adjustments as the board deems desirable.
- (2) Hold any hearings to be held following public notice and make such findings and determinations required by applicable law to be made after such hearing, including but not limited to the issuance of special taxing district bonds.
- (3) Approve the award and amendment of contracts by the department for the purchase or lease of capital equipment, supplies, materials, services, or other property where the contract is required to be bid under IC 36-1-9.
- (4) Approve the award and amendment of public construction contracts required to be bid under IC 36-1-12.
- (5) Approve the acquisition of and leases for real estate.
- (6) Approve the disposal of property by department as specified in IC 36-1-11.
- (7) Approve the employment of persons engaged by contract to render professional or consulting services.
- (8) Accept streets and roads into the public road system after dedication pursuant to the procedure set forth in chapter 28 of the 1975 Code of Indianapolis and Marion County.
- (9) Hold hearings on appeal from denial of permits or waivers under the jurisdiction of the department of capital asset management.
- (10) Exercise the powers granted to the board of public works by IC 36-9-18, IC 36-9-19, and IC 36-9-20, IC 36-9-21 and IC 36-9-22, IC 36-9-37, IC 36-9-38 and IC 36-9-39.
- (11) Exercise all powers granted to the transportation board or capital asset management board by IC 36-9-6.5 and IC 36-9-11.1.
- (12) Contract with any individual or corporation for providing streetlights, maintenance for streetlights and lighting for streets, alleys or public places, but any such contract shall be submitted to the city-county council for approval. No such contract shall be for a term of longer than twenty-five years.
- (13) To enter into a franchise, grant or contract authorizing a telephone, telegraph, electric light, gas, water, steam, railroad, or interurban company or any other person or corporation to erect and use structures in streets, alleys or other public places in the city. Any such franchise, grant, or contract is subject to conditions imposed by chapter 31 of the 1975 Code. This power shall not be construed in any way to interfere with the exclusive power of the cable franchise board established in section 8 1/2-40 of the 1975 Code of Indianapolis and Marion County or the power of the board of public works pursuant to IC 36-9-31.
- (14) Exercise flood control power as described in IC 36-9-29.1, and drainage power as described in IC 36-9-27.
- (15) Exercise all powers not specifically stated herein formerly granted to the board of transportation or the board of capital asset management and not transferred to the board of public works pursuant to IC 36-3-4-23.
- (16) Exercise the powers given to the board of public works or transportation or capital asset management in Chapters 7, 10 1/2, 28, 29 (except Article IV, Division 3), 31, and 671, Articles II, V, and VII.

(17) Promulgate rules and regulations with respect to contract administration and compliance of public construction pursuant to contracts awarded by the board or department with regard to cost reduction incentives; provided the provisions to amend and promulgate rules and regulations herein granted shall expire on December 31, 1997, unless otherwise extended by the City-County Council.

SECTION 2. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 728, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 728, 1995 on December 6, 1995. The proposal permits additional materials for right-of-way restoration. Councillor Gilmer explained the new material called flowable fill, which would provide greater durability and long-term savings. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Beadling, for adoption. Proposal No. 728, 1995 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Golc*

1 ABSENT: *Jones*

Proposal No. 728, 1995 was retitled GENERAL ORDINANCE NO. 218, 1995 and reads as follows:

CITY COUNTY GENERAL ORDINANCE NO. 218, 1995

A GENERAL ORDINANCE amending the Code with respect to right-of-way restoration materials.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 28-328 of the Code of Indianapolis and Marion County is hereby amended by inserting the underlined text to read as follows:

Sec. 28-328. Standards for restoration of the public right-of-way.

(a) In general. All cuts, excavations, or other damage done to the right-of-way pursuant to a valid right-of-way permit shall be restored in such a way as to return the right-of-way to its condition prior to any work performed in connection with a valid right-of-way permit. Restoration of the public right-of-way upon completion of work performed under a valid right-of-way permit shall be performed by the permit holder in accordance with the standards set forth in this section and the applicable regulations adopted by the transportation board.

(b) Specifications of materials. All materials, unless specifically stated otherwise, shall be in accordance with current "Indiana State Highway Commission Standard Specifications" and all revisions

and addendums to that document. Flowable fill shall comply with the department of capital asset management technical specification on flowable fill.

(1) Granular backfill:

- | | |
|--------------|---|
| (A) Subgrade | sand or "B" borrow <u>flowable fill</u> |
| (B) Subbase | No. 53 stone <u>flowable fill</u> |

(2) Concrete:

- | | |
|------------------------|--|
| Cement content | 6 bags per cubic yard, high early strength |
| Comprehensive strength | 4,000 PSI |
| Slump | 3 to 5 inches |
| Air entrainment | 5 to 8 per cent |
| Coarse aggregate | size 5L |
| Fine aggregate | 6 14A or 14B |

Retempering concrete by adding water or by other means will not be permitted for continuous operation. When concrete is delivered in transit mixers or agitators, water may be added and additional mixing performed in particular cases to increase the slump. The addition of water and mixing shall be under the direction a DOT inspector or engineer.

(3) Asphalt:

- | | |
|------------------------------------|--|
| (A) Hot asphaltic emulsion-Surface | Type IV mixture |
| (B) Hot asphaltic emulsion-Base | No. 4, No. 5, No. 5D |
| (C) Hot asphaltic emulsion-Binder | No. 8, No. 9 |
| (D) Hot asphaltic concrete-Surface | Type "B" mixture |
| (E) Hot asphaltic concrete-Base | No. 4, No. 5 |
| (F) Hot asphaltic concrete-Binder | No. 8, No. 9 |
| (G) Prime coat | Asphalt emulsion AE-PL |
| (H) Tack coat | Asphalt emulsion AE-T |
| (I) Cold mix bituminous | No. 5 limestone Class A
No. 11 limestone Class A
No. 24 natural sand
Modified AE-300 or Modified AE-150 |

(i) Coarse patch mix. Cold mix bituminous coarse patch mix shall consist of a blend of No. 5 stone, No. 11 stone and No. 24 natural sand in accordance with the following percentage by weight: No. 5 stone, 40 per cent; No. 11 stone, 20 per cent; and No. 24 sand, 40 per cent. The bitumen residue (determined by ASTM D27 12 Method E vacuum extraction) shall be 4.4 + 0.3 (6.3 per cent AE-300 or AE-150 modified with moisture). Only coarse patch mix previously approved by the DOT at the manufacturing plant may be used.

(ii) Fine patch mix. Cold mix bituminous fine patch mix shall consist of a blend of No. 11 stone and No. 24 natural sand in accordance with the following percentage by weight: No. 11 stone, 60 per cent, and No. 24 sand, 40 per cent. The bitumen residue (determined by ASTM D2172 Method E vacuum extraction) shall be 4.6 + 0.3 (6.3 per cent AE-300 or AE-150 modified with moisture). Only fine patch mix previously approved by the DOT at the manufacturing plant may be used.

(4) Topsoil agricultural limestone, fertilizer, grass seed mulch, sod, curing, compound and joint material are to be according to current "Indiana State Highway Commission Standard Specifications" and all revisions and addendums to that document.

(c) Backfill. All excavations shall be backfilled in accordance with this subsection.

(1) Granular backfill. All cuts made in or under any road surface shall be backfilled with granular material. Where a cut either transverses or parallels the road surface, granular backfill shall be placed in that portion of the cut located within three (3) feet of the road surface or within a distance of equal to one-half (1/2) the depth of the cut, whichever is greater. The permit holder, at its option, shall place granular backfill either:

- (A) In 12-inch maximum loose lifts and compact each layer by mechanical means to at least ninety-five (95) percent of its maximum dry density, or
- (B) In 24-inch maximum loose lifts and compact each layer by a combination of saturation and mechanical means to at least ninety-five (95) per cent of its maximum dry density, or
- (C) In such other size lifts as has been certified to the DOT by a professional engineer to achieve at least ninety-five (95) per cent of its maximum dry density for each lift using equipment available to the permit holder and approved by the DOT. Maximum dry density shall be determined in accordance with ASTM Designation D 698.
- (D) If flowable fill is used as backfill, the permit holder shall place the granular backfill in accordance with department of capital asset management technical specification on flowable fill.
- (2) Earth backfill. Earth backfill may be used in locations not requiring granular backfill. The earth backfill shall be made compatible with the adjacent surface. In established lawn areas, this includes compacting in not less than two (2) lifts for each five (5) feet of depth of the cut, topping off with topsoil, fertilizing, seeding, mulching and restoring all contours. If the contours are greater than a three-to-one (3:1) slope, restoration of the grass shall be made by sodding. Under sidewalks, the earth backfill shall be compacted in not less than three (3) lifts for each five (5) feet of depth of the cut. If the sidewalk fails as a result of settlement of a cut, the permit holder making such cut shall be responsible for repairing and restoring said sidewalk, including recompacting the backfill in the cut.
- (d) Temporary surface restoration. Temporary surface repairs may be made as follows:
 - (1) The surface may be temporarily repaired by use of cold mix bituminous to the top of the cut, compacted by a mechanical tamp or vibrator;
 - (2) Overnight while work is continually in progress, the cut may be covered with steel plates having a minimum thickness of three-fourths inch which shall be secured so as not to move and so as not to constitute a hazard when open to traffic;

Any cut temporarily repaired under this section shall be permanently repaired, by removing the cold mix bituminous to a depth of at least one and one-half (1 1/2) inches below the adjoining road surface and permanently restoring the cut as required in subsection (e) of this section. Final restoration of all cuts shall be made within thirty (30) days of the completion of the temporary repairs, except that cuts made between November 10 and April 1 need not be repaired until June 1. The permit holder shall notify the inspection section within two (2) business days of completion of final restoration.

(e) Permanent surface restoration. Permanent repairs shall be in accordance with the standards of this subsection. The restoration of the surface of all cuts shall be completed by such methods and in such manner that the plane of the surface of the repair, at the time of completion and thereafter, will be flush with all contiguous surfaces and will create no dissymmetry with the topography of the roadway.

- (1) Concrete streets and alleys. Final repairs to concrete streets and alleys are to be made with concrete. When repairing or replacing reinforced concrete having a thickness of six (6) inches or more, either (i) the steel reinforcement shall be replaced in kind (temporarily bending the reinforcing steel out of the way and then bending it back into position when the concrete is replaced) and properly fastened to the adjacent reinforcement, or (ii) No. 5 bars, two (2) feet long, shall be drilled and grouted into the existing pavement sides one foot deep at two-foot center-to-center spacing with a minimum of two (2) bars per side. If the concrete being replaced or repaired is less than six (6) inches thick, the steel reinforcement may be replaced in kind and properly fastened to the adjacent reinforcement or the repaired and replaced concrete may be bonded to the existing concrete by epoxy. All new concrete must be protected against excessive dehydration by the application of a membrane-type curing compound. The new concrete shall be protected from all traffic for thirty-six (36) hours. If this is done by the use of plates, the plates shall be steel with a minimum three-fourths inch thickness. These plates shall be secured so as not to move and so as not to constitute a hazard when they are open to traffic.

- (2) Asphalt streets and alleys. The base material used in connection with all final repairs to asphalt streets and alleys shall be either hot asphalt or cold mix bituminous coarse patch mix placed in four-inch lifts compacted with a mechanical tamp or vibrator. A one-and-one-half-inch hot asphalt surface shall be used on any asphalt surface street repair except when repairs are made in any thoroughfare, or any roadway other than a thoroughfare where so designated by the DOT, when such thoroughfare or roadway has been assigned a project number for resurfacing, in which case the one-and-one-half-inch hot asphalt surface may be deleted and the base material brought up to the level of the existing pavement. All edges or joint of existing pavement shall be thoroughly cleaned and tack coated prior to the placement of the hot asphalt surface. All faces of exposed curbing shall be tacked below the finished pavement elevation. All joints shall be sealed with a hot iron.
- (3) Brick streets and alleys. Brick streets shall be restored to their original surface condition and pattern. At the discretion of the DOT, brick alleys shall be restored to their original surface condition and pattern. If such repair of an alley is not directed, the repairs shall be made with concrete. All new concrete shall be protected against all excessive dehydration by the application of a membrane-type curing compound. The new concrete shall be protected from all traffic for thirty-six (36) hours. If this is done by the use of plates, the plates shall be steel with a minimum three-fourths inch thickness. These plates shall be secured so as not to move and so as not to constitute a hazard when they are open to traffic.
- (4) Asphalt over concrete or brick streets. As a general rule, whatever type of material that was excavated shall be replaced.
 - (A) Concrete or deep strength asphalt is to be used to replace concrete or brick to the level of the existing concrete base. The new concrete shall be protected against excessive dehydration by the application of a membrane-type curing compound. The new concrete shall be protected from all traffic for thirty-six (36) hours. If this is done by the use of plates, the plates shall be steel with a minimum three-fourths inch thickness. These plates shall be secured so as not to move and so as not to constitute a hazard when they are open to traffic. Asphalt shall then be used to complete the repair. The concrete and all vertical sides shall be thoroughly cleaned and tacked. All faces of exposed curbing shall be tacked below the finish elevation. Asphalt shall be placed in three-inch lifts and compacted with a mechanical tamp or vibrator. The top one and one-half (1 1/2) inches shall be hot mix asphalt. All joints shall be sealed with a hot iron.
 - (B) At the discretion of DOT, repairs to asphalt over concrete or brick streets and alleys may be made completely with asphalt. All vertical sides shall be thoroughly cleaned and tacked. All faces of exposed curbing shall be tacked below the finish elevation. Asphalt shall be placed in three-inch lifts and compacted with a mechanical tamp or vibrator. The top one and one half (1/2) inches shall be hot mix asphalt. All joints are to be sealed with a hot iron.
- (5) Shot seal streets or alleys. All repairs shall be made with asphalt. Asphalt shall be placed in three-inch lifts and compacted with a mechanical tamp or vibrator.
- (6) Stone or gravel street. All repairs shall be made with granular backfill.
- (7) Sidewalks:
 - (A) Brick sidewalks are to be restored to their original surface condition and pattern.
 - (B) Concrete sidewalks are to be repaired with concrete. However, it does not have to be high early strength. All new concrete must be protected against excessive dehydration by the application of a membrane-type curing compound. The new concrete shall be protected from all traffic for thirty-six (36) hours. If this is done by the use of plates, the plates shall be steel with a minimum three-fourths inch thickness. These plates shall be secured so as not to move and so as not to constitute a hazard when they are open to traffic.

- (C) Asphalt sidewalks shall be repaired with asphalt. All edges or joints of existing pavement shall be thoroughly cleaned and tacked. Asphalt shall be placed in three-inch lifts and shall be compacted by a mechanical tamp or vibrator. All joints shall be sealed with a hot iron.
 - (D) Gravel or stone sidewalks shall be restored to within six (6) inches of the surface with No. 53 stone or granular material and then topped off with material similar to the original surface.
 - (E) If the cut is outside three (3) feet of the road surface or outside a distance equal to one-half the depth of the cut, whichever is greater, the cut may be backfilled with earth backfill compacted in not less than three (3) lifts for each five (5) feet of depth of the cut.
- (8) Driveways:
- (A) Brick driveways shall be restored to their original surface and pattern.
 - (B) Concrete driveways shall be repaired with concrete to original specifications. The new concrete shall be protected against excessive dehydration by the application of a membrane-type curing compound. The new concrete shall be protected from all traffic for thirty-six (36) hours. If this is done by the use of plates, the plates shall be steel with a minimum three-fourths inch thickness. These plates shall be secured so as not to move and so as not to constitute a hazard when they are open to traffic.
 - (C) Asphalt driveways shall be repaired with asphalt. All edges or joints of existing pavement shall be thoroughly cleaned and tacked. Asphalt shall be placed in three inch lifts and is to be compacted by mechanical tamp or vibrator. The top one and one-half (1 1/2) inches shall be hot mix asphalt. All joints shall be sealed with a hot iron.
 - (D) Gravel or stone driveways shall be restored to six (6) inches of the surface with No. 53 stone or granular material and topped off with material similar to the original surface.
 - (E) If the cut is outside three (3) feet of the road surface or outside a distance equal to one-half of the depth of the cut, whichever is greater, the cut may be backfilled with earth backfill compacted in not less than three (3) lifts for each five (5) feet of depth of the cut.
- (9) Gravel or stone berm. All repairs to gravel or stone berms shall be restored to within twelve (12) inches of the surface with compacted granular backfill, and topped off with material similar to the original surface. If the cut is outside three (3) feet of the road surface or outside a distance equal to one-half the depth of the cut, whichever is greater, the cut may be backfilled with earth backfill.
- (f) Resurfacing because of cuts. The DOT shall determine it necessary to resurface the pavement in any five-hundred-foot segment if either of the following conditions are found since the segment was last resurfaced:
- (1) Cut(s) encompass more than thirty-three (33) per cent of the total square footage; or
 - (2) Ten (10) or more lateral cuts on any, or a combination of any, of the lanes.

DOT having made the determination to resurface, then such permit holder or combination of permit holders shall be liable for the cost of resurfacing the pavement surface, which cost shall not exceed the cost of a one-inch overlay of hot asphalt over the area to be resurfaced. The DOT shall notify the responsible permit holder or combination of permit holders, as well as all utilities, that the pavement surface in that location will be resurfaced, if possible during the next construction season, but such construction will commence no later than one hundred eighty (180) days after notification by the DOT. Utilities should perform whatever work they desire to do in the right-of-way in that area prior to the resurfacing. The DOT shall be responsible for contracting, supervising and inspecting the resurfacing and upon completion of the resurfacing, shall bill the responsible permit holder or combination of permit holders for it or their share of the cost of the resurfacing. If more than one construction season has passed, the cost shall be based on the cost of resurfacing in the first

construction season following the DOT's notification that the area will be resurfaced. When a combination of permit holders is involved, the cost for the resurfacing, as limited above, shall be allocated by the DOT among the permit holders based on the ratio of square footage of pavement surface within the area disturbed by all permit holders. The issuance of a right-of-way excavation permit by the department of transportation and the acceptance of the permit by an applicant/permit holder shall be construed as agreement to this resurfacing requirement.

(g) Lawn restorations. Within thirty (30) days after completion and restoration of a cut in a portion of an established lawn within the public right-of-way, the permit holder shall inspect the cut and if it has settled more than two (2) inches below the adjacent surface, the permit holder will fill and compact the settled area and reseed or resod. The permit holder shall inspect the cut again within thirty (30) days following the original restoration and, if the cut has again settled more than two (2) inches below the adjacent surface, shall fill and compact the settled area and reseed or resod. Such inspections and fillings will continue each thirty (30) days until an inspection discloses that the cut has not settled more than two (2) inches below the adjacent surface in any thirty-day period.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

PROPOSAL NOS. 447, 591 and 651, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 447, 591 and 651, 1995 on December 6, 1995. PROPOSAL NO. 447, 1995. The proposal authorizes a traffic signal for the Marsh Access Drive with Thompson Road approximately 1,200 feet east of Emerson (District 23). PROPOSAL NO. 591, 1995. The proposal authorizes a traffic signal at Falcon Drive and 34th Street (Districts 8, 9). PROPOSAL NO. 651, 1995. The proposal authorizes a multi-way stop at Millersville Road and Olney Street (District 11). By 6-0 votes, the Committee reported the proposals to the Council with a recommendation to strike. Proposal Nos. 447, 591 and 651, 1995 were stricken by unanimous voice vote.

PROPOSAL NOS. 731 and 765-770, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 731 and 765-770, 1995 on December 6, 1995. PROPOSAL NO. 731, 1995. The proposal authorizes multi-way stops for the intersections in the Forest Creek subdivision, Sections 1 and 2 (District 13). PROPOSAL NO. 765, 1995. The proposal authorizes a multi-way stop at Crittenden Avenue and 61st Street (District 7). PROPOSAL NO. 766, 1995. The proposal authorizes a multi-way stop at Rural Street and 72nd Street (District 7). PROPOSAL NO. 767, 1995. The proposal authorizes a multi-way stop at Tacoma Avenue and 72nd Street (District 7). PROPOSAL NO. 768, 1995. The proposal authorizes a multi-way stop at North Street and Oakland Avenue (District 15). PROPOSAL NO. 769, 1995. The proposal authorizes a multi-way stop at North Street and Parker Avenue (District 15). PROPOSAL NO. 770, 1995. The proposal authorizes a multi-way stop at Shortridge Road and 13th Street (District 12). By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal Nos. 731 and 765-770, 1995 were adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, Tilford, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Golc*

1 ABSENT: *Jones*

Proposal No. 731, 1995 was retitled GENERAL ORDINANCE NO. 219, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 219, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
35, Pg. 1	Bade Rd, Forest Creek Dr	Bade Rd	Stop
35, Pg. 2	Fallen Oak Dr, Forest Creek Dr	Fallen Oak Dr	Stop
35, Pg. 2	Fallen Oak Dr, Stonewood Dr	Fallen Oak Dr	Stop
35, Pg. 2	Forest Creek Dr, Stonewood Dr	Forest Creek Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 765, 1995 was retitled GENERAL ORDINANCE NO. 220, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 220, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 9	Crittenden Av, 61st St	Crittenden Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 9	Crittenden Av, 61st St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 766, 1995 was retitled GENERAL ORDINANCE NO. 221, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 221, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 24	Rural St 72nd St	72nd St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 24	Rural St 72nd St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 767, 1995 was retitled GENERAL ORDINANCE NO. 222, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 222, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 26	Tacoma Av 72nd St	72nd St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 26	Tacoma Av 72nd St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 768, 1995 was retitled GENERAL ORDINANCE NO. 223, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 223, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 38	North St Oakland Av	North St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 38	North St Oakland Av	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 769, 1995 was retitled GENERAL ORDINANCE NO. 224, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 224, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 39	North St Parker Av	North St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 39	North St Parker Av	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 770, 1995 was retitled GENERAL ORDINANCE NO. 225, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 225, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27, Pg. 15	Shortridge Rd 13th St	13th St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27, Pg. 15	Shortridge Rd 13th St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Deputy Mayor Joe Loftus was called on for comments, as his term of office would end this year and this was his final Council meeting. Deputy Mayor Loftus expressed his appreciation to the Council and his encouragement to continue their good service to the community. The President expressed appreciation on behalf of the Council to Deputy Mayor Loftus for his dedicated service and wished him success in future endeavors.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillors Hinkle and Shambaugh in memory of Glen Collins;
- (2) Councillor Hinkle in memory of John E. Voelker;
- (3) Councillor Franklin in memory of Paul Sanders, Sr.;
- (4) Councillor O'Dell in memory of Mary Ellen Howell, Don R. Heiska, R. Jeanice Krysko, Richard A. Oberlies;
- (5) Councillor Boyd in memory of June C. Beechler, Eva Moore, Gerald Simons, and Rose Sangar.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Glen Collins, John E. Voelker, Paul Saunders, Sr., Mary Ellen Howell, Don R. Heiska, R. Jeanice Krysko, Richard A. Oberlies, June C. Beechler, Eva Moore, Gerald Simons, and Rose Sangar. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 11:00 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 11th day of December, 1995.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President

ATTEST:


Clerk of the Council

(SEAL)

1995 Proposal Index

1	SPONSORED BY: Councillor Coughenour		
	DIGEST: amending the Revised Code concerning industrial wastewater pretreatment		
	REFERRED TO: Public Works Committee	GENERAL ORDINANCE	22
	APPROVED BY MAYOR: 02/16/1995	JOURNAL PAGE: 136	Adopted : 02/13/1995
2	SPONSORED BY: Councillor Dowden		
	DIGEST: amending the Code by authorizing a traffic signal at Shadeland Avenue and Lake Castleton Arms (District 4)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	6
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE: 87	Adopted : 01/23/1995
3	SPONSORED BY: Councillor Gray		
	DIGEST: amending the Code by authorizing a multi-way stop at 33rd Street and Kenwood Avenue (District 9)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	7
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE: 88	Adopted : 01/23/1995
4	SPONSORED BY: Councillor Jimison		
	DIGEST: amending the Code by authorizing a multi-way stop at Ritter Avenue and 41st Street (District 14)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	8
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE: 88	Adopted : 01/23/1995
5	SPONSORED BY: Councillor Gilmer		
	DIGEST: amending the Code by authorizing a multi-way stop at Manning Road and Catalpa Street (District 1)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	9
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE: 89	Adopted : 01/23/1995
6	SPONSORED BY: Councillor Ruhmkorff		
	DIGEST: amending the Code by authorizing a multi-way stop at Edmondson Avenue and Springer Avenue (District 12)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	10
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE: 89	Adopted : 01/23/1995
7	SPONSORED BY: Councillor Golc		
	DIGEST: amending the Code by authorizing a stop sign at Moreland Avenue and Southern Avenue (District 17)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	11
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE: 90	Adopted : 01/23/1995
8	SPONSORED BY: Councillor Brents		
	DIGEST: amending the Code by authorizing a stop sign at Muskingham Street and Arch Street (District 16)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	12
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE: 90	Adopted : 01/23/1995
9	SPONSORED BY: Councillor Rhodes		
	DIGEST: amending the Code by authorizing a multi-way stop at 60th Street and Rosslyn Avenue (District 7)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	13
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE: 90	Adopted : 01/23/1995

1995 Proposal Index

10 SPONSORED BY: Councillor Mullin
DIGEST: amending the Code by authorizing a stop sign at Benton Drive and Cynthia Drive (District 20)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 14
APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 91 Adopted : 01/23/1995

11 SPONSORED BY: Councillor Gilmer
DIGEST: amending the Code by authorizing a multi-way stop at Old Barn Circle and Old Barn Drive (District 1)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 15
APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 91 Adopted : 01/23/1995

12 SPONSORED BY: Councillor Schneider
DIGEST: amending the Code by authorizing a yield sign at Kenwood Avenue and Kenwood Court (District 3)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 16
APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 92 Adopted : 01/23/1995

13 SPONSORED BY: Councillor Williams
DIGEST: amending the Code by authorizing one-way traffic flow on 21st Street between Pennsylvania Street and Talbott Street (eastbound); on 21st Street Annex between Talbott Street and Pennsylvania Street (westbound); and on 17th Street between Talbott Street and Delaware Street (eastbound) (District 22)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 17
APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 92 Adopted : 01/23/1995

14 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Ruby Miller to the City-County Administrative Board
REFERRED TO: Administration and Finance Committee COUNCIL RESOLUTION 1
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 21 Adopted : 01/23/1995

15 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Clifford R. Snedeker to the Information Services Agency Board
REFERRED TO: Administration and Finance Committee COUNCIL RESOLUTION 2
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 22 Adopted : 01/23/1995

16 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Mary Alice (Dubbie) Buckler to the Information Services Agency Board
REFERRED TO: Administration and Finance Committee COUNCIL RESOLUTION 3
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 22 Adopted : 01/23/1995

17 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing John von Arx to the Information Services Agency Board
REFERRED TO: Administration and Finance Committee COUNCIL RESOLUTION 4
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 22 Adopted : 01/23/1995

18 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Phillip Hinkle to the Marion County Board of Tax Adjustment
REFERRED TO: Administration and Finance Committee COUNCIL RESOLUTION 5
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 22 Adopted : 01/23/1995

1995 Proposal Index

19 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Joe M. Rink to the Cable Franchise Board
REFERRED TO: Administration and Finance Committee COUNCIL RESOLUTION
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 250 Stricken : 03/20/1995

20 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing James E. Sawyers to the Cable Franchise Board
REFERRED TO: Administration and Finance Committee COUNCIL RESOLUTION
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 250 Stricken : 03/20/1995

21 SPONSORED BY: Councillor Rhodes
DIGEST: appointing Fredric A. Hunn to the Cable Franchise Board
REFERRED TO: Administration and Finance Committee COUNCIL RESOLUTION 33
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 250 Adopted : 03/20/1995

22 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Phillip Hinkle to the Audit Committee
REFERRED TO: Administration and Finance Committee COUNCIL RESOLUTION 6
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 23 Adopted : 01/23/1995

23 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Arno Haupt to the Board of Capital Asset Management
REFERRED TO: Capital Asset Management Committee COUNCIL RESOLUTION 7
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 23 Adopted : 01/23/1995

24 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Howard Howe to the Board of Capital Asset Management
REFERRED TO: Capital Asset Management Committee COUNCIL RESOLUTION 25
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 171 Adopted : 02/27/1995

25 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Randolph L. Snyder to the Metropolitan Development Commission
REFERRED TO: Metropolitan Development Committee COUNCIL RESOLUTION 8
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 103 Adopted : 02/13/1995

26 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Isaac Randolph to the Metropolitan Board of Zoning Appeals Division II
REFERRED TO: Metropolitan Development Committee COUNCIL RESOLUTION 9
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 104 Adopted : 02/13/1995

27 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Robert A. Stewart to the Metropolitan Board of Zoning Appeals Division III
REFERRED TO: Metropolitan Development Committee COUNCIL RESOLUTION 10
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 104 Adopted : 02/13/1995

1995 Proposal Index

28	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Mark DeFabis to the Indianapolis City-Market Corporation Board REFERRED TO: Metropolitan Development Committee APPROVED BY MAYOR: Not Req.	COUNCIL RESOLUTION 11 Adopted : 02/13/1995
29	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Philip D. Pecar to the Health & Hospital Corporation Board of Trustees REFERRED TO: Municipal Corporations Committee APPROVED BY MAYOR: Not Req.	COUNCIL RESOLUTION 52 Adopted : 05/22/1995
30	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Elliott Nelson to the Board of Public Safety REFERRED TO: Public Safety and Criminal Justice Committee APPROVED BY MAYOR: Not Req.	COUNCIL RESOLUTION 12 Adopted : 02/13/1995
31	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Rudy Hightower to the Board of Public Safety REFERRED TO: Public Safety and Criminal Justice Committee APPROVED BY MAYOR: Not Req.	COUNCIL RESOLUTION 38 Adopted : 03/20/1995
32	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Ann Curry to the Animal Control Board REFERRED TO: Public Safety and Criminal Justice Committee APPROVED BY MAYOR: Not Req.	COUNCIL RESOLUTION 13 Adopted : 02/13/1995
33	SPONSORED BY: Councillor McClamroch DIGEST: reappointing J. Lloyd Grannan to the Animal Control Board REFERRED TO: Public Safety and Criminal Justice Committee APPROVED BY MAYOR: Not Req.	COUNCIL RESOLUTION 14 Adopted : 02/13/1995
34	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Patricia M. Nickell to the Marion County Public Defender Board REFERRED TO: Public Safety and Criminal Justice Committee APPROVED BY MAYOR: Not Req.	COUNCIL RESOLUTION 26 Adopted : 02/27/1995
35	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Dennis Nicholas, M.D. to the Indianapolis-Marion County Forensic Board REFERRED TO: Public Safety and Criminal Justice Committee APPROVED BY MAYOR: Not Req.	COUNCIL RESOLUTION 27 Adopted : 02/27/1995
36	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Tony A. Buford to the Board of Public Works REFERRED TO: Public Works Committee APPROVED BY MAYOR: Not Req.	COUNCIL RESOLUTION 15 Adopted : 02/13/1995

1995 Proposal Index

37	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Larry L. Tunget to the Board of Public Works REFERRED TO: Public Works Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 106	COUNCIL RESOLUTION 16 Adopted : 02/13/1995
38	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Urban I. Merl, Jr. to the Alcoholic Beverage Board of Marion County REFERRED TO: Rules and Public Policy Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 172	COUNCIL RESOLUTION 28 Adopted : 02/27/1995
39	SPONSORED BY: Councillor Boyd DIGEST: amending the Revised Code concerning the Resources Development Division of the Indianapolis Department of Parks and Recreation REFERRED TO: Parks and Recreation Committee APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 157	GENERAL ORDINANCE 23 Adopted : 02/13/1995
40	SPONSORED BY: Councillors O'Dell, Ruhmkorff DIGEST: recognizing the public service of Lawrence L. "Larry" Buell REFERRED TO: Whole Committee APPROVED BY MAYOR: 01/12/1995 JOURNAL PAGE: 6	SPECIAL RESOLUTION 1 Adopted : 01/09/1995
41	SPONSORED BY: Councillors Smith, Gray, Dowden, DIGEST: concerning the 1999 World Police and Fire Games REFERRED TO: Whole Committee APPROVED BY MAYOR: 01/12/1995 JOURNAL PAGE: 7	SPECIAL RESOLUTION 2 Adopted : 01/09/1995
42	SPONSORED BY: Councillor Rhodes DIGEST: approving a change in ownership of the cable television franchise now owned by Time Warner Entertainment Company, L.P. REFERRED TO: Administration and Finance Committee APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 85	SPECIAL RESOLUTION 7 Adopted : 01/23/1995
43	SPONSORED BY: Councillor West DIGEST: rezoning ordinance for Pike Township, Councilmanic District 2, 7616 North Michigan Road (approximate address) REFERRED TO: Whole Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 12	REZONING ORDINANCE 1 Adopted : 01/09/1995
44	SPONSORED BY: Councillor West DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 6621 Hickory Road (approximate address) REFERRED TO: Whole Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 34	REZONING ORDINANCE 23 Adopted : 01/23/1995

1995 Proposal Index

45	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 23, 1924, 1908, 2002, and 2030 Churchman Avenue (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	2
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 13	Adopted : 01/09/1995
46	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 6729-6747 East 38th Street (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	3
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 13	Adopted : 01/09/1995
47	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 2, 8503 Evergreen Avenue (rear) (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	4
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 13	Adopted : 01/09/1995
48	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 4727 South Denny Street (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	5
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 13	Adopted : 01/09/1995
49	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 5583 Stop 11 Road (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	6
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 13	Adopted : 01/09/1995
50	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 5583 Stop 11 Road (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	7
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 13	Adopted : 01/09/1995
51	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 902 Dr. Martin Luther King Jr. Street (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	8
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 13	Adopted : 01/09/1995
52	SPONSORED BY: Councillor Hinkle		
	DIGEST: remembering Fred C. "Bud" Tucker, Jr.		
	REFERRED TO: Whole Committee	SPECIAL RESOLUTION	3
	APPROVED BY MAYOR: 01/12/1995	JOURNAL PAGE: 7	Adopted : 01/09/1995

1995 Proposal Index

53 SPONSORED BY: Councillor Borst

DIGEST: authorizing the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$7 million for Veltri Stamping Corporation (413 North Tremont Avenue, District 16)

REFERRED TO: Economic Development Committee SPECIAL ORDINANCE 1

APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 27 Adopted : 01/23/1995

54 SPONSORED BY: Councillor Borst

DIGEST: authorizing the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$3 million for Indianapolis Art Center, Inc. (820 East 67th Street, District 2)

REFERRED TO: Economic Development Committee SPECIAL ORDINANCE 2

APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 29 Adopted : 01/23/1995

55 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation from the County General Fund in the amount of \$437,812 for the County Auditor to fund the cost of the redevelopment of the property tax financial system financed by unappropriated revenues in the County General Fund

REFERRED TO: Administration and Finance Committee FISCAL ORDINANCE 1

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 176 Adopted : 02/27/1995

56 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation from the Information Services Internal Services Fund in the amount of \$437,812 for the Information Services Agency to fund the cost of the redevelopment of the property tax financial system financed by revenues from that fund

REFERRED TO: Administration and Finance Committee FISCAL ORDINANCE 2

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 177 Adopted : 02/27/1995

57 SPONSORED BY: Councillor Gilmer

DIGEST: approving the Mayor's appointment of Greg L. Henneke as Director of the Department of Capital Asset Management for a term ending December 31, 1995

REFERRED TO: Capital Asset Management Committee COUNCIL RESOLUTION 29

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 172 Adopted : 02/27/1995

58 SPONSORED BY: Councillor West

DIGEST: approving the Mayor's appointment of Elaine E. Bedel as Director of the Department of Metropolitan Development for a term ending December 31, 1995

REFERRED TO: Metropolitan Development Committee COUNCIL RESOLUTION 17

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 106 Adopted : 02/13/1995

59 SPONSORED BY: Councillor McClamroch

DIGEST: reappointing Jack H. Hall, M.D. to the Metropolitan Development Commission

REFERRED TO: Metropolitan Development Committee COUNCIL RESOLUTION 18

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 107 Adopted : 02/13/1995

60 SPONSORED BY: Councillor Golc

DIGEST: approving an application for designation of the former Westinghouse Air Brake Company site at 217 South Belmont Street as an Industrial Recovery Site

REFERRED TO: Metropolitan Development Committee SPECIAL ORDINANCE 3

APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 158 Adopted : 02/13/1995

1995 Proposal Index

61	SPONSORED BY: Councillor Dowden		
DIGEST: amending the Code to allow County employees credit for all time previously worked for a County agency for purposes of leave accrual			
REFERRED TO: Administration and Finance Committee		GENERAL ORDINANCE	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 24	Withdrawn : / /
62	SPONSORED BY: Councillor West		
DIGEST: amending the Dwelling Districts Zoning Ordinance addressing state statute changes to "Home Day Care"			
REFERRED TO: Metropolitan and Development Committee		GENERAL ORDINANCE 24	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 159	Adopted : 02/13/1995
63	SPONSORED BY: Councillor Giffin		
DIGEST: repeals the White River Greenway Development Board and establishes an Indianapolis Greenways Development Committee			
REFERRED TO: Parks and Recreation Committee		GENERAL ORDINANCE 67	
APPROVED BY MAYOR: 05/12/1995		JOURNAL PAGE: 389	Adopted : 05/08/1995
64	SPONSORED BY: Councillor Giffin		
DIGEST: amending Sec. 22-2 of the Code to provide penalties for persons unlawfully sledding in City parks and golf courses			
REFERRED TO: Parks and Recreation Committee		GENERAL ORDINANCE	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE:	Stricken : 03/20/1995
65	SPONSORED BY: Councillor Dowden		
DIGEST: approving the Mayor's appointment of Michael E. Beaver as Director of the Department of Public Safety for a term ending December 31, 1995			
REFERRED TO: Public Safety and Criminal Justice Committee		COUNCIL RESOLUTION 19	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 107	Adopted : 02/13/1995
66	SPONSORED BY: Councillor Dowden		
DIGEST: amending Sec. 2-358 of the Code to allow Marion County to receive deposits from the Indiana Department of Corrections into the County Corrections Fund			
REFERRED TO: Public Safety and Criminal Justice Committee		GENERAL ORDINANCE 25	
APPROVED BY MAYOR: 02/16/1995		JOURNAL PAGE: 163	Adopted : 02/13/1995
67	SPONSORED BY: Councillor Dowden		
DIGEST: amending the Code by permitting the Sheriff to establish franchise zones for the towing of automobiles			
REFERRED TO: Public Safety and Criminal Justice Committee		GENERAL ORDINANCE 26	
APPROVED BY MAYOR: 03/03/1995		JOURNAL PAGE: 186	Adopted : 02/27/1995
68	SPONSORED BY: Councillor Dowden		
DIGEST:			
REFERRED TO: Public Safety and Criminal Justice Committee		FISCAL ORDINANCE	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE:	Withdrawn : / /

1995 Proposal Index

69 SPONSORED BY: Councillor Dowden

DIGEST: the transfer of \$310,000 from the County General Fund to the Supplemental Public Defender Fund to make up the 1994 revenue shortfall in the Supplemental Public Defender Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 41

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 387

Adopted : 05/08/1995

70 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$329,476 for the Prosecuting Attorney, Marion County Public Defender Agency, Court Administrator Agency, and the County Auditor to fund the Expedited Trial Program which is a joint effort to reduce the population at the Marion County Jail financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 3

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 180

Adopted : 02/27/1995

71 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Drug Free Community Fund in the amount of \$230,000 for the Court Administrator Agency, Marion County Public Defender Agency, Prosecuting Attorney, and the County Auditor to provide the matching funds required by the grant awarded for the Expedited Trial Program financed by revenues from the Drug Free Community Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 4

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 182

Adopted : 02/27/1995

72 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Supplemental Adult Probation Fees Fund in the amount of \$44,100 for the Superior Court, Criminal Division, Probation Department, to pay an existing lease agreement for outside office space financed by revenues from that fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 5

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 183

Adopted : 02/27/1995

73 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Supplemental Adult Probation User Fee Fund in the amount of \$24,600 for the Superior Court, Criminal Division, Probation Department, to provide the 25% matching funds required by the recently awarded federal grant of \$71,350 which is to be utilized for the Automated Probation Case Management System financed by revenues from that fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 6

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 184

Adopted : 02/27/1995

74 SPONSORED BY: Councillor Coughenour

DIGEST: approving the Mayor's appointment of Michael B. Stayton as Director of the Department of Public Works for a term ending December 31, 1995

REFERRED TO: Public Works Committee

COUNCIL RESOLUTION 20

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 107

Adopted : 02/13/1995

75 SPONSORED BY: Councillor Giffin

DIGEST: approving the Mayor's appointment of Leon E. Younger as Director of the Indianapolis Department of Parks and Recreation for a term ending December 31, 1995

REFERRED TO: Parks and Recreation Committee

COUNCIL RESOLUTION 21

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 108

Adopted : 02/13/1995

1995 Proposal Index

-
- 76 SPONSORED BY: Councillor Curry
DIGEST: approving the Mayor's appointment of Nancy Silvers as Deputy Mayor for a term ending December 31, 1995
REFERRED TO: Rules and Public Policy Committee COUNCIL RESOLUTION 30
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 173 Adopted : 02/27/1995
-
- 77 SPONSORED BY: Councillor McClamroch
DIGEST: approving the Mayor's appointment of Joseph E. Loftus as Deputy Mayor and Director of the Department of Administration for a term ending December 31, 1995
REFERRED TO: Rules and Public Policy Committee COUNCIL RESOLUTION 31
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 173 Adopted : 02/27/1995
-
- 78 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Alan Retherford to the Metropolitan Board of Zoning Appeals Division I
REFERRED TO: Metropolitan Development Committee COUNCIL RESOLUTION 22
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 108 Adopted : 02/13/1995
-
- 79 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Mary Jane Klepek to the Metropolitan Board of Zoning Appeals Division III
REFERRED TO: Metropolitan Development Committee COUNCIL RESOLUTION 23
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 108 Adopted : 02/13/1995
-
- 80 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Joanna Walker to the Metropolitan Board of Zoning Appeals Division I
REFERRED TO: Metropolitan Development Committee COUNCIL RESOLUTION 24
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 108 Adopted : 02/13/1995
-
- 81 SPONSORED BY: Councillors Rhodes, Schneider, SerVaas
DIGEST: recognizing the State Champion North Central High School Boys Soccer Team
REFERRED TO: Whole Committee SPECIAL RESOLUTION 4
APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 19 Adopted : 01/23/1995
-
- 82 SPONSORED BY: Councillors Coughenour, Mullin
DIGEST: recognizing the 1994 state football champion Roncalli High School Rebels
REFERRED TO: Whole Committee SPECIAL RESOLUTION 5
APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 20 Adopted : 01/23/1995
-
- 83 SPONSORED BY: Councillors Beadling, Ruhmkorff
DIGEST: commending Yellow Cab and the new assistance of St. Vincent and Community Hospitals for free taxi rides home on New Year's Eve
REFERRED TO: Whole Committee SPECIAL RESOLUTION 6
APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 20 Adopted : 01/23/1995
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1995 Proposal Index

84	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 17, 1811 West Washington Street (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	9
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 32	Adopted : 01/23/1995
85	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 5433 Madison Avenue (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	10
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 32	Adopted : 01/23/1995
86	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 2444 East Washington Street (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	11
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 32	Adopted : 01/23/1995
87	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 1410 South Post Road (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	12
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 32	Adopted : 01/23/1995
88	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Pike Township, Councilmanic District 01, 8460 Georgetown Road (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	13
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 32	Adopted : 01/23/1995
89	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 5820 West Southport Road (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	14
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 32	Adopted : 01/23/1995
90	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 5207 East 38th Street (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	15
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 32	Adopted : 01/23/1995
91	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Decature and Wayne Townships, Councilmanic District 17, 5252 West Troy Avenue (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	16
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 33	Adopted : 01/23/1995

1995 Proposal Index

92	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 02, 3701 West 46th Street (approximate address)			
REFERRED TO: Whole Committee		REZONING ORDINANCE	17
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE:	33
		Adopted :	01/23/1995
93	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 9820 East Washington Street (approximate address)			
REFERRED TO: Whole Committee		REZONING ORDINANCE	18
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE:	33
		Adopted :	01/23/1995
94	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 1268 North German Church Road (approximate address)			
REFERRED TO: Whole Committee		REZONING ORDINANCE	19
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE:	33
		Adopted :	01/23/1995
95	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 10802 East Troy Avenue (approximate address)			
REFERRED TO: Whole Committee		REZONING ORDINANCE	20
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE:	33
		Adopted :	01/23/1995
96	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 7578 West County Line Road (approximate address)			
REFERRED TO: Whole Committee		REZONING ORDINANCE	21
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE:	33
		Adopted :	01/23/1995
97	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 4404 South High School Road (approximat address)			
REFERRED TO: Whole Committee		REZONING ORDINANCE	22
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE:	33
		Adopted :	01/23/1995
98	SPONSORED BY: Councillor West		
DIGEST: determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Metropolitan Development			
REFERRED TO: Metropolitan Development Committee		SPECIAL RESOLUTION	37
APPROVED BY MAYOR: 05/12/1995		JOURNAL PAGE:	396
		Adopted :	05/08/1995
99	SPONSORED BY: Councillor West		
DIGEST: amending the Improvement Location Permit (ILP) Ordinance of Marion County to exempt 18 improvements/types of development from obtaining an ILP (MDC Docket No. 95-AO-2)			
REFERRED TO: Metropolitan Development Committee		GENERAL ORDINANCE	27
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE:	189
		Adopted :	02/27/1995

1995 Proposal Index

100	SPONSORED BY: Councillor West		
DIGEST: amending the Special Districts Zoning Ordinance of Marion County by (1) providing for certain improvements/types of development within "Special Districts" to be permitted by Administrator's Approval; (2) combining the language of the Special Use District Zoning Ordinance into the Special Districts Zoning Ordinance to consolidate two separate documents into one comprehensive ordinance; and (3) making minor technical amendments (MDC Docket No. 95-AO-3)			
REFERRED TO: Metropolitan Development Committee		GENERAL ORDINANCE	28
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 196	Adopted : 02/27/1995
101	SPONSORED BY: Councillor West		
DIGEST: amending the Central Business Districts Zoning Ordinance of Marion County regarding off-track betting Pari Mutuel Wagering Facilities in any Central Business District (MDC Docket No. 95- AO-4)			
REFERRED TO: Metropolitan Development Committee		GENERAL ORDINANCE	29
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 217	Adopted : 02/27/1995
102	SPONSORED BY: Councillors Gilmer, Short		
DIGEST: approving a public purpose grant to USS Indianapolis Survivors Memorial Organization, Inc. in the amount of \$17,500			
REFERRED TO: Administration and Finance Committee		SPECIAL RESOLUTION	18
APPROVED BY MAYOR: 03/03/1995		JOURNAL PAGE: 218	Adopted : 02/27/1995
103	SPONSORED BY: Councillor Rhodes		
DIGEST: approving a public purpose grant to Central Indiana Radio Reading, Inc. in the amount of \$25,000 for the purpose of providing radio reading programs for the blind and print-disabled in Marion County			
REFERRED TO: Administration and Finance Committee		SPECIAL RESOLUTION	19
APPROVED BY MAYOR: 03/03/1995		JOURNAL PAGE: 219	Adopted : 02/27/1995
104	SPONSORED BY: Councillor Rhodes		
DIGEST: amends Secs. 23-64 and 23-65 of the Code concerning salary limits for county employees			
REFERRED TO: Administration and Finance Committee		GENERAL ORDINANCE	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 1125	Stricken : 11/20/1995
105	SPONSORED BY: Councillor Dowden		
DIGEST: authorizing the lease of office space located in Center Township for the Department of Public Safety			
REFERRED TO: Administration and Finance Committee		SPECIAL RESOLUTION	
APPROVED BY MAYOR: / /		JOURNAL PAGE:	Stricken : 04/24/1995
106	SPONSORED BY: Councillor O'Dell		
DIGEST: an appropriation from the County General Fund in the amount of \$12,050 for the Cooperative Extension Service to cover lease and contractual services obligations financed by unappropriated revenues in the County General Fund			
REFERRED TO: Community Affairs Committee		FISCAL ORDINANCE	10
APPROVED BY MAYOR: 03/27/1995		JOURNAL PAGE: 264	Adopted : 03/20/1995
107	SPONSORED BY: Councillor McClamroch		
DIGEST: renominating Walter Quesenberry for appointment to the Lawrence Economic Development Board			
REFERRED TO: Economic Development Committee		COUNCIL RESOLUTION	35
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 252	Adopted : 03/20/1995

1995 Proposal Index

108 SPONSORED BY: Councillor West

DIGEST: an appropriation from the Redevelopment General Fund in the amount of \$150,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to implement the Facade Improvement Program which promotes the revitalization of the City's redeveloped commercial areas by providing financial incentives to participants financed by revenues from the Redevelopment General Fund

REFERRED TO: Metropolitan Development Committee

FISCAL ORDINANCE 11

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 265

Adopted : 03/20/1995

109 SPONSORED BY: Councillor West

DIGEST: an appropriation from the Metropolitan Development General Fund in the amount of \$225,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to implement document imaging for the Metropolitan Development Commission's resolutions, building permit documents, and variance and rezoning documents financed by revenues from the Metropolitan Development General Fund

REFERRED TO: Metropolitan Development Committee

FISCAL ORDINANCE 12

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 266

Adopted : 03/20/1995

110 SPONSORED BY: Councillor West

DIGEST: an appropriation from the Solid Waste Collection Service District Fund in the amount of \$1,630,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to clean up demolished buildings under the Unsafe Building Program financed by the unappropriated and unencumbered balance in that fund

REFERRED TO: Public Works Committee

S.W.C.S.S.D.F.O 1

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 321

Adopted : 04/10/1995

111 SPONSORED BY: Councillor West

DIGEST: an appropriation of \$168,000 for the Department of Metropolitan Development, Planning Division, to increase its current contracts with Indianapolis Project, Inc. and Greater Indianapolis Progress Committee and to provide funding for the Small Business Incubator Program financed from the balance in the Metropolitan Development General Fund and by additional tax abatement filing fees

REFERRED TO: Metropolitan Development Committee

FISCAL ORDINANCE 25

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 300

Adopted : 04/10/1995

112 SPONSORED BY: Councillor Jones

DIGEST: an appropriation from the Park General/Golf Fund in the amount of \$300,000 for the Department of Parks and Recreation, Golf Division, for the construction of a driving range and a maintenance building at Douglass Golf Course financed by the unappropriated and unencumbered fund balance

REFERRED TO: Parks and Recreation Committee

FISCAL ORDINANCE 13

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 267

Adopted : 03/20/1995

113 SPONSORED BY: Councillor Dowden

DIGEST: renewing the Community Corrections program for fiscal year 1995- 1996 and approving the Community Corrections Advisory Board's grant application to the State

REFERRED TO: Public Safety and Criminal Justice Committee

COUNCIL RESOLUTION 32

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 219

Adopted : 02/27/1995

1995 Proposal Index

114 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$51,742 for the Superior Court, Juvenile Division/Detention Center, to fund a Magistrate position at the court financed by revenues received from the Marion County Office of Family and Children

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 30

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 305

Adopted : 04/10/1995

115 SPONSORED BY: Councillor Franklin

DIGEST: an appropriation of \$21,175 for the Superior Court, Criminal Division, Room Five, to fund a clerk's salary financed from the County General Fund balances

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 0

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 415

Stricken : 05/22/1995

116 SPONSORED BY: Councillor McClamroch

DIGEST: an appropriation from the County General Fund in the amount of \$250 for the Superior Court, Civil Division, Room Five, to pay copier machine rental financed by a transfer of other appropriations for that court

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 8

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 221

Adopted : 02/27/1995

117 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Drug Free Community Fund in the amount of \$27,174 for the Marion County Justice Agency to support the Indianapolis Challenge project, which is a coordinated approach to issues and problems concerning substance abuse and related violence in the County financed by revenues from that fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 14

APPROVED BY MAYOR: 03/27/1995

JOURNAL PAGE: 269

Adopted : 03/20/1995

118 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Drug Free Community Fund in the amount of \$487,893 for the Marion County Justice Agency to provide various criminal justice treatment and education programs financed by revenues from that fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 15

APPROVED BY MAYOR: 03/27/1995

JOURNAL PAGE: 270

Adopted : 03/20/1995

119 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the City Cumulative Capital Development Fund in the amount of \$64,213 for the Department of Public Safety, Police Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 16

APPROVED BY MAYOR: 03/27/1995

JOURNAL PAGE: 271

Adopted : 03/20/1995

120 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the City Cumulative Capital Development Fund in the amount of \$1,445,466 for the Department of Public Safety, Fire Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 17

APPROVED BY MAYOR: 03/27/1995

JOURNAL PAGE: 272

Adopted : 03/20/1995

1995 Proposal Index

121 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Police Service District Fund in the amount of \$27,918 for the Department of Public Safety, Police Division, to fund an additional staff position for the Crime Stoppers program financed by a grant from the Indianapolis Foundation

REFERRED TO: Public Safety and Criminal Justice Committee

P.S.S.D.F.O. 1

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 238

Adopted : 02/27/1995

122 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Police Service District Fund in the amount of \$679,842 for the Department of Public Safety, Police Division, to hire eighteen police officers financed by a U.S. Department of Justice grant

REFERRED TO: Public Safety and Criminal Justice Committee

P.S.S.D.F.O. 3

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 320

Adopted : 04/10/1995

123 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Police Service District Fund in the amount of \$621,992 for the Department of Public Safety, Police Division, to establish a Weed and Seed National Demonstration Program financed by a U.S. Department of Justice grant

REFERRED TO: Public Safety and Criminal Justice Committee

P.S.S.D.F.O. 2

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 248

Adopted : 03/20/1995

124 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$716,791 for the Department of Public Works, Contract Compliance Division, to contract with the Department of Public Safety, Animal Control Division, for the operation of the animal control shelter operations beginning July 1, 1995 financed by revenues from the Solid Waste Collection Fund

REFERRED TO: Public Works Committee

S.W.C.S.S.D.F.O. 2

APPROVED BY MAYOR: 09/15/1995 JOURNAL PAGE: 765

Adopted : 09/11/1995

125 SPONSORED BY: Councillor Coughenour

DIGEST: approving an Interlocal Agreement between the City of Indianapolis and the Town of Cumberland for sewage transportation and treatment services

REFERRED TO: Public Works Committee

SPECIAL ORDINANCE 4

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 221

Adopted : 02/27/1995

126 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation transfer request for \$2,235,000 in the Solid Waste Disposal Fund for the Department of Public Works, Solid Waste Management Division, and reducing a like amount from the Department of Capital Asset Management, Asset Management Division, for the removal and hauling of sludge from the sludge lagoons

REFERRED TO: Public Works Committee

FISCAL ORDINANCE 7

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 185

Adopted : 02/27/1995

127 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation from the Arterial Roads and Streets Fund in the amount of \$1,300,000 for the Department of Capital Asset Management, Asset Management Division, to provide funding for curb, sidewalk and resurfacing projects in neighborhoods financed by revenues from that fund

REFERRED TO: Capital Asset Management Committee

FISCAL ORDINANCE 18

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 273

Adopted : 03/20/1995

1995 Proposal Index

128 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation from the Parking Meter Fund in the amount of \$1,250,000 for the Department of Capital Asset Management, Asset Management Division, to supplement the City's investment in infrastructure in parking meter areas financed by revenues from that fund

REFERRED TO: Capital Asset Management Committee

FISCAL ORDINANCE 19

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 274

Adopted : 03/20/1995

129 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation from the City Cumulative Capital Improvement Fund in the amount of \$800,000 for the Department of Capital Asset Management, Asset Management Division, to provide funding for curb, sidewalk, and resurfacing projects financed by revenues from that fund

REFERRED TO: Capital Asset Management Committee

FISCAL ORDINANCE 20

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 275

Adopted : 03/20/1995

130 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation from the Sanitation General Fund in the amount of \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to fund unanticipated capital improvements greater than \$25,000 financed by revenues from that fund

REFERRED TO: Capital Asset Management Committee

FISCAL ORDINANCE 21

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 276

Adopted : 03/20/1995

131 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation of \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to supplement investment in Combined Sewer Overflow projects throughout the City financed from balances in the Sanitary District General Improvement Fund

REFERRED TO: Capital Asset Management Committee

FISCAL ORDINANCE 26

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 301

Adopted : 04/10/1995

132 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation from the Transportation General Fund in the amount of \$10,074,307 for the Department of Capital Asset Management, Asset Management Division, to provide funding for (1) additional resurfacing, curb and sidewalk repairs in neighborhoods; (2) service agreement for Washington Street; and (3) design work on I-70 and Six Points Road

REFERRED TO: Capital Asset Management Committee

FISCAL ORDINANCE 22

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 277

Adopted : 03/20/1995

133 SPONSORED BY: Councillor O'Dell

DIGEST: amending the Code by authorizing intersection controls for Creekside Woods subdivision (District 13)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 32

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 234

Adopted : 02/27/1995

134 SPONSORED BY: Councillor Gilmer

DIGEST: amending the Code by authorizing intersection controls for Bradford Woods subdivision (District 1)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 33

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 234

Adopted : 02/27/1995

1995 Proposal Index

135 SPONSORED BY: Councillor Hinkle

DIGEST: amending the Code by authorizing intersection controls for Summerfield South subdivision, Section 3 (District 18)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 34

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 234

Adopted : 02/27/1995

136 SPONSORED BY: Councillor O'Dell

DIGEST: amending the Code by authorizing stop signs for Cedar Springs subdivision (District 13)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 35

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 235

Adopted : 02/27/1995

137 SPONSORED BY: Councillor Dowden

DIGEST: amending the Code by authorizing a multi-way stop at Creekside Lane and Welham Road (District 4)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 36

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 235

Adopted : 02/27/1995

138 SPONSORED BY: Councillor Schneider

DIGEST: amending the Code by authorizing a yield sign for Kenwood Avenue and Kenwood Court (District 3)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 37

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 236

Adopted : 02/27/1995

139 SPONSORED BY: Councillor Rhodes

DIGEST: amending the Code by authorizing a multi-way stop for Cranbrook Drive and Huntington Road (District 7)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 38

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 236

Adopted : 02/27/1995

140 SPONSORED BY: Councillor Rhodes

DIGEST: amending the Code by authorizing a multi-way stop for Haverhill Drive and Merriam Road (District 7)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 39

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 237

Adopted : 02/27/1995

141 SPONSORED BY: Councillor Rhodes

DIGEST: amending the Code by authorizing a multi-way stop for 58th Street and Tacoma Avenue (District 7)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 40

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 237

Adopted : 02/27/1995

142 SPONSORED BY: Councillor Golc

DIGEST: amending the Code by authorizing a traffic signal for Reilly Industries at Gate 6 (3450 W) on Minnesota Street (District 17)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 41

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 238

Adopted : 02/27/1995

1995 Proposal Index

143 SPONSORED BY: Councillor Golc
DIGEST: congratulating the Washington High School Continentals City Basketball Champions
REFERRED TO: Whole Committee SPECIAL RESOLUTION 8
APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 98 Adopted : 02/13/1995

144 SPONSORED BY: Councillors Dowden, Short
DIGEST: recognizing former Sheriff Joseph G. McAtee
REFERRED TO: Whole Committee SPECIAL RESOLUTION 9
APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 99 Adopted : 02/13/1995

145 SPONSORED BY: Councillors Short, Dowden
DIGEST: recognizing Prosecutor Jeffrey A. Modisett
REFERRED TO: Whole Committee SPECIAL RESOLUTION 10
APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 99 Adopted : 02/13/1995

146 SPONSORED BY: Councillor Beadling
DIGEST: recognizing the community of Oaklandon
REFERRED TO: Whole Committee SPECIAL RESOLUTION 11
APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 100 Adopted : 02/13/1995

147 SPONSORED BY: Councillors Gilmer, SerVaas
DIGEST: concerning the Smithsonian exhibit of the Enola Gay
REFERRED TO: Whole Committee SPECIAL RESOLUTION 12
APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 101 Adopted : 02/13/1995

148 SPONSORED BY: Councillors Boyd, Coughenour, Curry,
DIGEST: encouraging citizens to share with law enforcement officials information about specific crimes and
crime related activity in their communities
REFERRED TO: Whole Committee SPECIAL RESOLUTION 13
APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 102 Adopted : 02/13/1995

149 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2801 West Morris Street
(approximate address)
REFERRED TO: Whole Committee REZONING ORDINANCE 24
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 115 Adopted : 02/13/1995

150 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 8412 East 46th Street
(approximate address)
REFERRED TO: Whole Committee REZONING ORDINANCE 25
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 116 Adopted : 02/13/1995

1995 Proposal Index

151	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 1852 Ludlow Avenue (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	26
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 116	Adopted : 02/13/1995
152	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 1650 Stevens Street (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	27
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 116	Adopted : 02/13/1995
153	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 2229 North Sheldon Street (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	28
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 116	Adopted : 02/13/1995
154	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 7, 6222 Douglas Road (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	29
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 116	Adopted : 02/13/1995
155	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 6350 South Belmont Avenue (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	30
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 117	Adopted : 02/13/1995
156	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 9, 1126, 1132, 1134, 1140 and 1146 West Roache Avenue (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	31
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 117	Adopted : 02/13/1995
157	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Pike Township, Councilmanic District 9, 4201 Lafayette Road (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	32
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 117	Adopted : 02/13/1995
158	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 11, 2368 East 38th Street (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	33
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 117	Adopted : 02/13/1995

1995 Proposal Index

159	SPONSORED BY: Councillor West		
DIGEST:	rezoning ordinance for Center Township, Councilmanic District 16, 701, 715-717, 723 Russell Avenue and 718 and 722 South Meridian Street (approximate address)		
REFERRED TO:	Whole Committee	REZONING ORDINANCE	34
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	117
		Adopted :	02/13/1995
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160	SPONSORED BY: Councillor Coughenour		
DIGEST:	amending the Code concerning environmental public nuisances		
REFERRED TO:	Public Works Committee	GENERAL ORDINANCE	30
APPROVED BY MAYOR:	03/03/1995	JOURNAL PAGE:	227
		Adopted :	02/27/1995
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161	SPONSORED BY: Councillor Gilmer		
DIGEST:	an appropriation from the Advanced Wastewater Treatment Facilities Reserve Fund in the amount of \$10,795,000 for the Department of Capital Asset Management, Finance and Administration Division, to make capital expenditures for the City's advanced wastewater treatment plant financed by revenues from that fund		
REFERRED TO:	Capital Asset Management Committee	FISCAL ORDINANCE	23
APPROVED BY MAYOR:	03/27/1995	JOURNAL PAGE:	279
		Adopted :	03/20/1995
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162	SPONSORED BY: Councillor Dowden		
DIGEST:	an appropriation from the State and Federal Grants Fund in the amount of \$40,000 for the Prosecuting Attorney to pay salary and fringe benefits for a Community Prosecutor for the Weed and Seed initiative on the near west side financed by a federal grant		
REFERRED TO:	Public Safety and Criminal Justice Committee	FISCAL ORDINANCE	9
APPROVED BY MAYOR:	03/27/1995	JOURNAL PAGE:	249
		Adopted :	03/20/1995
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163	SPONSORED BY: Councillors Shambaugh, Dowden		
DIGEST:	repealing Sec. 17-192 of the Code so as to require licensing of amusement machines located on premises controlled by holders of Alcoholic Beverage permits and by benevolent, religious, educational, civic, patriotic, fraternal and philanthropic organizations beginning July 1, 1995		
REFERRED TO:	Administration and Finance Committee	GENERAL ORDINANCE	69
APPROVED BY MAYOR:	05/26/1995	JOURNAL PAGE:	417
		Adopted :	05/22/1995
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164	SPONSORED BY: Councillor Dowden		
DIGEST:	an appropriation of \$1,081,857 for the County Sheriff to pay for expenses at Riverside Community Corrections facility, prisoner food and medical care, FOP contract and fringe benefits financed by additional revenue of \$315,000 generated from wrecker fees, special deputy fees and machine permit fees and the balance from the County General Fund balances		
REFERRED TO:	Public Safety and Criminal Justice Committee	FISCAL ORDINANCE	27
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	302
		Adopted :	04/10/1995
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165	SPONSORED BY: Councillor Dowden		
DIGEST:	an appropriation of \$145,697 for the Superior Court, Juvenile Division/Detention Center, to fund the balance due for the Court/Center computer and to fund various maintenance agreements from the County General Fund balances		
REFERRED TO:	Public Safety and Criminal Justice Committee	FISCAL ORDINANCE	33
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	357
		Adopted :	04/24/1995
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1995 Proposal Index

166 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$45,000 for the Superior Court, Juvenile Division/ Detention Center, to provide for an attorney for Child Advocates, Inc. financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 24

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 281

Adopted : 03/20/1995

167 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$70,500 for the County Auditor to cover the cost associated with the preparation of the Marion County Hazardous Materials Response Plan and the cost of providing community right to know information for Marion County financed by revenues from the Local Emergency Planning and Right to Know Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 28

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 304

Adopted : 04/10/1995

168 SPONSORED BY: Councillor Coughenour

DIGEST: amending Sec. 13-1 of the Code by making technical amendments regarding solid waste collection

REFERRED TO: Public Works Committee

GENERAL ORDINANCE 45

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 307

Adopted : 04/10/1995

169 SPONSORED BY: Councillor Dowden

DIGEST: recognizing the 67th Fire Department Instructors' Conference in Indianapolis

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 14

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 168

Adopted : 02/27/1995

170 SPONSORED BY: Councillor O'Dell

DIGEST: recognizing the East Indianapolis Sertoma Club

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 15

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 168

Adopted : 02/27/1995

171 SPONSORED BY: Councillors Hinkle, Curry, Giffin, Shambaugh

DIGEST: remembering the life of former Deputy Mayor Harry E. Eakin

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 16

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 169

Adopted : 02/27/1995

172 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 7006 Oaklandon Road (approximate address)

REFERRED TO: Whole Committee

REZONING ORDINANCE 35

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 175

Adopted : 02/27/1995

173 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District 2, 615 West 63rd Street (approximate address)

REFERRED TO: Whole Committee

REZONING ORDINANCE 36

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 175

Adopted : 02/27/1995

1995 Proposal Index

174	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 2, 615 West 63rd Street (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	37
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 174	Adopted : 02/27/1995
175	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 941 and 947 North Keystone Avenue (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	38
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 176	Adopted : 02/27/1995
176	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 11794 East Prospect Street (approximate address)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	39
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 176	Adopted : 02/27/1995
177	SPONSORED BY: Councillor Black		
	DIGEST: amending the Code by authorizing a multi-way stop at Winthrop Avenue and 44th Street (District 6)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	42
	APPROVED BY MAYOR: 03/27/1995	JOURNAL PAGE: 280	Adopted : 03/20/1995
178	SPONSORED BY: Councillor McClamroch		
	DIGEST: appointing Carlton Curry to the Cable Franchise Board		
	REFERRED TO: Administration and Finance Committee	COUNCIL RESOLUTION	34
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 251	Adopted : 03/20/1995
179	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Lance L. Bundles to the Metropolitan Development Commission		
	REFERRED TO: Metropolitan Development Committee	COUNCIL RESOLUTION	36
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 252	Adopted : 03/20/1995
180	SPONSORED BY: Councillor Boyd		
	DIGEST: appoints Aaron E. Haith to the Public Housing Board		
	REFERRED TO: Metropolitan Development Committee	COUNCIL RESOLUTION	39
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 292	Adopted : 04/10/1995
181	SPONSORED BY: Councillor McClamroch		
	DIGEST: appointing Ron Franklin to the Public Housing Board		
	REFERRED TO: Metropolitan Development Committee	COUNCIL RESOLUTION	37
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 253	Adopted : 03/20/1995
182	SPONSORED BY: Councillor Beadling		
	DIGEST: recognizing the 50th anniversary of the Lawrence Township Journal newspaper		
	REFERRED TO: Whole Committee	SPECIAL RESOLUTION	17
	APPROVED BY MAYOR: 03/03/1995	JOURNAL PAGE: 170	Adopted : 02/27/1995

1995 Proposal Index

183 SPONSORED BY: Councillor Borst

DIGEST: authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$13,000,000 for the Jewish Federation of Greater Indianapolis, Inc. (6701 Hoover Road, District 2)

REFERRED TO: Economic Development Committee

SPECIAL ORDINANCE 6

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 309

Adopted : 04/10/1995

184 SPONSORED BY: Councillor Borst

DIGEST: authorizing the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$5,500,000 for the EPI Printers, Inc. project (7502 East 86th Street, District 4)

REFERRED TO: Metropolitan Development Committee

SPECIAL ORDINANCE 5

APPROVED BY MAYOR: 03/22/1995 JOURNAL PAGE: 257

Adopted : 03/20/1995

185 SPONSORED BY: Councillor Borst

DIGEST: amending S.R. 43, 1993, as amended, by extending the expiration date for Brulin & Company, Inc. through September 30, 1995 (2920 Dr. Andrew J. Brown Avenue, District 22)

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 22

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 260

Adopted : 03/20/1995

186 SPONSORED BY: Councillor Borst

DIGEST: an inducement resolution for El-Beulah Retirement Village, Inc. in an amount not to exceed \$4,500,000 for the acquisition, construction, installation and equipping of 68 unit multi-family residential rental facility for the elderly consisting of 34 one-story buildings containing two living units each to be located at 7606 East 82nd Street, on approximately 12.4 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 4)

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 23

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 261

Adopted : 03/20/1995

187 SPONSORED BY: Councillor Rhodes

DIGEST: a new appropriation of \$275,000 to pay the County's portion of the Financial Accounting and Management Information System (FAMIS) for the County Auditor financed by reducing the County General Fund balance

REFERRED TO: Administration and Finance Committee

FISCAL ORDINANCE 34

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 358

Adopted : 04/24/1995

188 SPONSORED BY: Councillor Curry

DIGEST: a new appropriation of \$10,000 to pay overtime expenses of the County Surveyor for work performed on behalf of IMAGIS financed by reducing other appropriations for the County Surveyor

REFERRED TO: Administration and Finance Committee

FISCAL ORDINANCE 31

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 311

Adopted : 04/10/1995

189 SPONSORED BY: Councillor O'Dell

DIGEST: a new appropriation of \$10,955 to pay for capital items needed in the kitchen of the Marion County Children's Guardian Home financed by reducing the County General Fund balance

REFERRED TO: Community Affairs Committee

FISCAL ORDINANCE 35

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 359

Adopted : 04/24/1995

1995 Proposal Index

190 SPONSORED BY: Councillor Beadling

DIGEST: adopts a new Wellfield Protection Zoning Ordinance for Marion County, further restricting land uses to protect the ground water/aquifer resources of specifically delineated areas of Marion County

REFERRED TO: Metropolitan Development Committee

GENERAL ORDINANCE 57

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 342

Adopted : 04/24/1995

191 SPONSORED BY: Councillor Giffin

DIGEST: amends public hearing requirements with respect to disposal of certain land by the Indianapolis Department of Parks and Recreation

REFERRED TO: Parks and Recreation Committee

GENERAL ORDINANCE 68

APPROVED BY MAYOR: 05/12/1995 JOURNAL PAGE: 394

Adopted : 05/08/1995

192 SPONSORED BY: Councillor Giffin

DIGEST: a new appropriation of \$170,000 for landscaping, tree trimming, cart path guard rails, a pedestrian bridge and other miscellaneous improvements financed from Park General/Golf Fund balances

REFERRED TO: Parks and Recreation Committee

FISCAL ORDINANCE 36

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 360

Adopted : 04/24/1995

193 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$614,755 in Uniform Traffic Tickets receipts between September and December 1994 from qualified drivers for county agencies involved in enforcing the program financed from the Moving Traffic Deferral Fees

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 37

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 361

Adopted : 04/24/1995

194 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation for \$78,331 to pay training expenses for the County Sheriff's Department financed by Continuing Education Fund balances

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 38

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 362

Adopted : 04/24/1995

195 SPONSORED BY: Councillor Dowden

DIGEST: a transfer of appropriations within the Prosecuting Attorney's office to correctly catalogue the nature of expenditures of \$76,500 associated with the Traffic Safety Program financed from the State and Federal Grants Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 32

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 312

Adopted : 04/10/1995

196 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$42,924 for the Marion County Justice Agency to cover the cost of continuing participation in the Drug Use Forecasting Program financed by grant revenues of the State and Federal Grants Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 29

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 304

Adopted : 04/10/1995

1995 Proposal Index

197 SPONSORED BY: Councillor Dowden

DIGEST: a transfer of appropriations of \$15,561 to finance the preparation by Community Corrections of a comprehensive report on youth identified as being victims or perpetrators of violence financed by reducing other appropriations from the State and Federal Grants Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 39

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 364

Adopted : 04/24/1995

198 SPONSORED BY: Councillor Borst

DIGEST: an appropriation for \$269,652 for the County Sheriff to secure the west wing of the City-County Building and for the Court Administrator to purchase up to 22 walk-through metal detectors and 32 hand wands for use by those courts and agencies that desire security

REFERRED TO: Rules and Public Policy Committee

FISCAL ORDINANCE 43

APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 410

Adopted : 05/22/1995

199 SPONSORED BY: Councillor Hinkle

DIGEST: authorizes stop signs for the Parc Estates North subdivision (District 18)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 46

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 314

Adopted : 04/10/1995

200 SPONSORED BY: Councillor Hinkle

DIGEST: authorizes stop signs for Sunningdale Commons subdivision, Sections 1 and 2 (District 18)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 47

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 315

Adopted : 04/10/1995

201 SPONSORED BY: Councillor Gilmer

DIGEST: authorizes stop signs for Hunters Green subdivision, Section 1 (District 1)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 48

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 315

Adopted : 04/10/1995

202 SPONSORED BY: Councillor Mullin

DIGEST: authorizes a multi-way stop at Boyd Avenue and North Avenue (District 20)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 49

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 316

Adopted : 04/10/1995

203 SPONSORED BY: Councillor Black

DIGEST: authorizes a multi-way stop at 44th Street and Winthrop Avenue (District 6)

REFERRED TO: Capital Asset Management Committee

APPROVED BY MAYOR: / / JOURNAL PAGE: 255

Stricken : 03/20/1995

204 SPONSORED BY: Councillor Dowden

DIGEST: authorizes a multi-way stop at Camelback Drive and Buckskin Drive (District 4)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 50

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 316

Adopted : 04/10/1995

1995 Proposal Index

205	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at Butler Avenue and 13th Street (District 18)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	51
	APPROVED BY MAYOR: 04/17/1995	JOURNAL PAGE: 317	Adopted : 04/10/1995
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206	SPONSORED BY: Councillor Beadling		
	DIGEST: authorizes a multi-way stop at Grace Terrace and La Habra Lane (District 5)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	52
	APPROVED BY MAYOR: 04/17/1995	JOURNAL PAGE: 317	Adopted : 04/10/1995
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207	SPONSORED BY: Councillor Beadling		
	DIGEST: changes the intersection controls at Bowline Drive and Skipjack Drive (District 5)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	
	APPROVED BY MAYOR: / /	JOURNAL PAGE:	Stricken : 04/10/1995
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208	SPONSORED BY: Councillor Brents		
	DIGEST: authorizes a passenger and material loading zone on Pearl Street west of Pennsylvania Street (District 16)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	81
	APPROVED BY MAYOR: 06/16/1995	JOURNAL PAGE: 461	Adopted : 06/12/1995
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209	SPONSORED BY: Councillors Black, Gray, Williams		
	DIGEST: authorizes parking restrictions on the west side of Capitol Avenue from 38th Street to 21st Street (Districts 6, 9, 22)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	53
	APPROVED BY MAYOR: 04/17/1995	JOURNAL PAGE: 318	Adopted : 04/10/1995
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210	SPONSORED BY: Councillor Brents		
	DIGEST: authorizes parking restrictions on a segment of Delaware Street at Michigan Street (District 16)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	54
	APPROVED BY MAYOR: 04/17/1995	JOURNAL PAGE: 319	Adopted : 04/10/1995
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211	SPONSORED BY: Councillor Brents		
	DIGEST: authorizes parking restrictions on Michigan Street from Holmes Avenue to Miley Avenue, and on Michigan Street from Miley Avenue to White River Parkway West Drive (District 16)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	55
	APPROVED BY MAYOR: 04/17/1995	JOURNAL PAGE: 319	Adopted : 04/10/1995
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212	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappoints Margaret Maxwell to the Marion County Commission on Youth		
	REFERRED TO: Administration and Finance Committee	COUNCIL RESOLUTION	40
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 292	Adopted : 04/10/1995
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213	SPONSORED BY: Councillor McClamroch		
	DIGEST: appoints Ernestine Nicholson to the Equal Opportunity Advisory Board		
	REFERRED TO: Administration and Finance Committee	COUNCIL RESOLUTION	41
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 293	Adopted : 04/10/1995

1995 Proposal Index

214 SPONSORED BY: Councillor McClamroch
DIGEST: appoints Joseph M. Rink to the Metropolitan Board of Zoning Appeals II
REFERRED TO: Metropolitan Development Committee COUNCIL RESOLUTION 42
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 293 Adopted : 04/10/1995

215 SPONSORED BY: Councillor McClamroch
DIGEST: reappoints Claudia Prosser to the Indianapolis City-Market Corporation Board
REFERRED TO: Metropolitan Development Committee COUNCIL RESOLUTION 48
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 381 Adopted : 05/08/1995

216 SPONSORED BY: Councillor McClamroch
DIGEST: reappoints Sara Mitten Snyder to the Indianapolis City-Market Corporation Board
REFERRED TO: Metropolitan Development Committee COUNCIL RESOLUTION 43
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 293 Adopted : 04/10/1995

217 SPONSORED BY: Councillor McClamroch
DIGEST: appoints Chester Carpenter to the Public Housing Board
REFERRED TO: Metropolitan Development Committee COUNCIL RESOLUTION 44
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 294 Adopted : 04/10/1995

218 SPONSORED BY: Councillor McClamroch
DIGEST: reappoints Diana Wilson Hall to the Board of Parks and Recreation
REFERRED TO: Parks and Recreation Committee COUNCIL RESOLUTION 46
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 332 Adopted : 04/24/1995

219 SPONSORED BY: Councillor McClamroch
DIGEST: reappoints Charles E. Kendall to the Board of Parks and Recreation
REFERRED TO: Parks and Recreation Committee COUNCIL RESOLUTION 47
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 332 Adopted : 04/24/1995

220 SPONSORED BY: Councillor Smith
DIGEST: recognizing Sgt. Gerald L. Young
REFERRED TO: Whole Committee SPECIAL RESOLUTION 20
APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 245 Adopted : 03/20/1995

221 SPONSORED BY: Councillor O'Dell
DIGEST: concerning the Marion County Healthcare Center
REFERRED TO: Whole Committee SPECIAL RESOLUTION 21
APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 246 Adopted : 03/20/1995

222 SPONSORED BY: Councillor McClamroch
DIGEST: appoints Felicia Triggs to the Urban Enterprise Association
REFERRED TO: Metropolitan Development Committee COUNCIL RESOLUTION 45
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 294 Adopted : 04/10/1995

1995 Proposal Index

223 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 98 East Meridian School Road (approximate address)

REFERRED TO: Whole Committee

REZONING ORDINANCE 40

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 262

Adopted : 03/20/1995

224 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 1051 West Sumner Avenue (approximate address)

REFERRED TO: Whole Committee

REZONING ORDINANCE 41

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 263

Adopted : 03/20/1995

225 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 230 West Epler Avenue (approximate address)

REFERRED TO: Whole Committee

REZONING ORDINANCE 42

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 263

Adopted : 03/20/1995

226 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 2424 East Washington Street (approximate address)

REFERRED TO: Whole Committee

REZONING ORDINANCE 43

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 263

Adopted : 03/20/1995

227 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 1740 East Thompson Road (approximate address)

REFERRED TO: Whole Committee

REZONING ORDINANCE 44

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 263

Adopted : 03/20/1995

228 SPONSORED BY: Councillor West

DIGEST: rezoning 14.40 acres at 2339 Lafayette Road in Wayne Township from C-4, D-4 and D-S Districts to SU-7 classification to provide for a children's group home (District 16)

REFERRED TO: Whole Committee

REZONING ORDINANCE

APPROVED BY MAYOR: Not Req. JOURNAL PAGE:

Rejected : 05/22/1995

229 SPONSORED BY: Councillor West

DIGEST: amends the Comprehensive Zoning Maps of Marion County by updating base maps numbers 2, 14, 28, 47, 50, and 51 (95-AO-5)

REFERRED TO: Metropolitan Development Committee

GENERAL ORDINANCE 58

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 365

Adopted : 04/24/1995

230 SPONSORED BY: Councillor West

DIGEST: affirms the City's intent to comply with the minimum standards of the National Flood Insurance Program

REFERRED TO: Metropolitan Development Committee

GENERAL RESOLUTION 1

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 366

Adopted : 04/24/1995

1995 Proposal Index

231 SPONSORED BY: Councillor Hinkle

DIGEST: changes building permit requirements requested by the Federal Emergency Management Administration relative to Floodway areas; and changes terms from one year to two years for (1) listing of general contractors; (2) licensure of craft contractors; and (3) registration of plumbers

REFERRED TO: Metropolitan Development Committee

GENERAL ORDINANCE 132

APPROVED BY MAYOR: 09/15/1995 JOURNAL PAGE: 766

Adopted : 09/11/1995

232 SPONSORED BY: Councillor Rhodes

DIGEST: allows the use of benefit leave time by County employees prior to its accrual

REFERRED TO: Administration and Finance Committee

GENERAL ORDINANCE 93

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 497

Adopted : 06/26/1995

233 SPONSORED BY: Councillor McClamroch

DIGEST: requests hearings on Maxicare

REFERRED TO: Administration and Finance Committee

COUNCIL RESOLUTION

APPROVED BY MAYOR: Not Req. JOURNAL PAGE:

Stricken : 07/17/1995

234 SPONSORED BY: Councillor O'Dell

DIGEST: an appropriation of \$59,168 to pay outstanding invoices and cover the shortfall in personal services for the Marion County Healthcare Center financed by transferring other appropriations

REFERRED TO: Community Affairs Committee

FISCAL ORDINANCE 40

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 371

Adopted : 04/24/1995

235 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$37,070 for the Superior Court, Juvenile Division/Detention Center, to employ a person currently under contract to the City financed from the County General Fund balances

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 44

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 413

Adopted : 05/22/1995

236 SPONSORED BY: Councillor Dowden

DIGEST: a new appropriation of \$7,833 to pay overtime per Fair Labor Standards Act's guidelines for the Superior Court, Criminal Division, Rooms 1, 2, 3, and 4, and Civil Division, Room 2, financed from the County General Fund balances

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 45

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 414

Adopted : 05/22/1995

237 SPONSORED BY: Councillor Gilmer

DIGEST: authorizes the Department of Capital Asset Management to lease its Civil Engineering Lab and certain equipment to Snell Environmental Group, Inc.

REFERRED TO: Capital Asset Management Committee

SPECIAL RESOLUTION 35

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 371

Adopted : 04/24/1995

238 SPONSORED BY: Councillor Gray

DIGEST: authorizes traffic signals at Kessler Boulevard and the two 38th Street ramps (Districts 2, 9)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE

APPROVED BY MAYOR: / / JOURNAL PAGE:

Withdrawn : 04/10/1995

1995 Proposal Index

239 SPONSORED BY: Councillor Williams

DIGEST: authorizes traffic signals at Senate Boulevard and the entrance to Methodist Hospital (District 22)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 60

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 373

Adopted : 04/24/1995

240 SPONSORED BY: Councillor Williams

DIGEST: authorizes stop signs at Oriental Street and 11th Street (District 22)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 61

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 373

Adopted : 04/24/1995

241 SPONSORED BY: Councillor Williams

DIGEST: authorizes a multi-way stop at Arsenal Avenue and 12th Street (District 22)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 62

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 373

Adopted : 04/24/1995

242 SPONSORED BY: Councillor Rhodes

DIGEST: authorizes a multi-way stop at Briarwood Drive and Sylvan Ridge Drive (District 7)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 63

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 374

Adopted : 04/24/1995

243 SPONSORED BY: Councillor Gilmer

DIGEST: changes the intersection controls at 51st Street and Knollton Road (District 9)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE

APPROVED BY MAYOR: / / JOURNAL PAGE: 342

Defeated : 04/24/1995

244 SPONSORED BY: Councillor Black

DIGEST: changes the intersection controls at Park Avenue and 44th Street (District 6)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 64

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 374

Adopted : 04/24/1995

245 SPONSORED BY: Councillor Gilmer

DIGEST: reduces the speed limit on 86th Street from Lafayette Road to I-465 (District 1)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 65

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 375

Adopted : 04/24/1995

246 SPONSORED BY: Councillor Gilmer

DIGEST: increases the speed limit on 46th Street from Raceway Road to McCurdy Road (District 1)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 66

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 375

Adopted : 04/24/1995

247 SPONSORED BY: Councillors Hinkle, Brents, Giffin, Golc,

DIGEST: recognizes the state high school basketball champion Ben Davis High School Giants

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 24

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 289

Adopted : 04/10/1995

1995 Proposal Index

248 SPONSORED BY: Councillor Brents

DIGEST: recognizes Mary Brown Bullock

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 25

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 290

Adopted : 04/10/1995

249 SPONSORED BY: Councillor Williams

DIGEST: commends the St. Joseph Neighborhood and the Riley Area Revitalization Program's work to retain a city police substation

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 26

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 290

Adopted : 04/10/1995

250 SPONSORED BY: Councillors McClamroch, Jimison

DIGEST: recognizes the Indiana University School of Law-Indianapolis Centennial

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 27

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 291

Adopted : 04/10/1995

251 SPONSORED BY: Councillor West

DIGEST: amending Sec. 536-201 of the Revised Code to revise the exemptions permitting certain construction activities in floodways

REFERRED TO: Metropolitan Development Committee

GENERAL ORDINANCE 59

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 366

Adopted : 04/24/1995

252 SPONSORED BY: Councillor Beadling

DIGEST: requesting the Metropolitan Development Commission to initiate and adopt amendments to the Zoning Ordinance for Marion County to fix limits upon certain enforcement actions

REFERRED TO: Metropolitan Development Committee

COUNCIL RESOLUTION

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 420

Stricken : 05/22/1995

253 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 375 East Banta Road (approximate address) (95-Z-9)

REFERRED TO: Whole Committee

REZONING ORDINANCE 45

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 297

Adopted : 04/10/1995

254 SPONSORED BY: Councillor West

DIGEST: rezoning 3.67 acres at 4057 East 56th Street in Washington Township from D-3 District to D-5 classification to provide for eight two-family units

REFERRED TO: Whole Committee

REZONING ORDINANCE

APPROVED BY MAYOR: Not Req. JOURNAL PAGE:

Rejected : 04/24/1995

255 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 5051 West Bradbury Avenue (approximate address) (95-Z-13)

REFERRED TO: Whole Committee

REZONING ORDINANCE 46

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 297

Adopted : 04/10/1995

1995 Proposal Index

256	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 8788 Hague Road (approximate address) (95-Z-14)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	47
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 297	Adopted : 04/10/1995
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257	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 14, 9550 East 42nd Street (approximate address) (95-Z-17)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	48
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 297	Adopted : 04/10/1995
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258	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 6285 Oaklandon Road (approximate address) (94-Z-213)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	49
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 298	Adopted : 04/10/1995
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259	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 21, 1841-1851 Zwingley Street (approximate address) (95-Z-10)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	50
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 298	Adopted : 04/10/1995
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260	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 6202 North Shadeland Avenue (Approximate Address) (95-Z-15)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	51
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 298	Adopted : 04/10/1995
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261	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 10509 Pendleton Pike (approximate address) (95-Z-21)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	52
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 298	Adopted : 04/10/1995
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262	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District # 5, 10581 Pendleton Pike (approximate address) (95-Z-22)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	53
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 298	Adopted : 04/10/1995
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263	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 11, 3950 Meadows Drive (approximate address) (95-Z-34)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	54
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 298	Adopted : 04/10/1995

1995 Proposal Index

264 SPONSORED BY: Councillor Borst

DIGEST: an Inducement Resolution for Willowbrook Park, L.P., a to-be-formed Indiana limited partnership, to proceed with the acquisition, renovation and equipping of the existing 385 unit multi-family residential rental project located at 4803 Round Lake Road on approximately 28.44 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 7)

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 34

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 336

Adopted : 04/24/1995

265 SPONSORED BY: Councillor Rhodes

DIGEST: prohibiting the use of skateboards in the Broad Ripple business district

REFERRED TO: Administration and Finance Committee

GENERAL ORDINANCE 112

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 541

Adopted : 07/17/1995

266 SPONSORED BY: Councillor Rhodes

DIGEST: authorizing the City by and through its Department of Administration to transfer one 1970 Maxium Pumper to the Indianapolis Fire Buffs and Fire Department Museum, Inc.

REFERRED TO: Administration and Finance Committee

SPECIAL RESOLUTION 38

APPROVED BY MAYOR: 05/12/1995 JOURNAL PAGE: 397

Adopted : 05/08/1995

267 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation of \$128,000 for the County Auditor to pay for administration and sale of county-owned land, financed from additional County General Fund revenues generated by such sales

REFERRED TO: Administration and Finance Committee

FISCAL ORDINANCE 46

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 441

Adopted : 06/12/1995

268 SPONSORED BY: Councillor McClamroch

DIGEST: reappointing Ray Battey to the City-County Administrative Board

REFERRED TO: Administration and Finance Committee

COUNCIL RESOLUTION 49

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 381

Adopted : 05/08/1995

269 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation for \$283,219 for expenses associated with the County Sheriff's assuming responsibility for security in the City-County Building financed by Building Authority's reimbursement of the County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 47

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 442

Adopted : 06/12/1995

270 SPONSORED BY: Councillor Borst

DIGEST: an appropriation of \$252,750 for acquisition of laboratory instrumentation and to provide an educational stipend for laboratory employees for the Forensic Services Agency financed by tuition payments to the County General Fund from the government of Abu Dhabi covering eight officers being trained by the Forensic Services Agency

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 48

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 443

Adopted : 06/12/1995

1995 Proposal Index

271 SPONSORED BY: Councillor Borst

DIGEST: an appropriation of \$240,000 for new laboratory instrumentation and supplies and to provide various travel/training fees to upgrade Forensic Services Agency's capability in drug and drug-related analysis financed by additional grant revenues of the State and Federal Grants Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 42

APPROVED BY MAYOR: 05/12/1995 JOURNAL PAGE: 388

Adopted : 05/08/1995

272 SPONSORED BY: Councillor McClamroch

DIGEST: reappointing William B. Powers to the Citizens Police Complaint Board

REFERRED TO: Public Safety and Criminal Justice Committee

COUNCIL RESOLUTION 50

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 382

Adopted : 05/08/1995

273 SPONSORED BY: Councillor Brents

DIGEST: amends smoking prohibitions in local governmental buildings to permit smoking in jury rooms

REFERRED TO: Rules and Public Policy Committee

GENERAL ORDINANCE

APPROVED BY MAYOR: / / JOURNAL PAGE: Postponed Indefinitely : / /

274 SPONSORED BY: Councillor McClamroch

DIGEST: reappointing Fred G. Johnston, Jr. to the Board of Ethics

REFERRED TO: Rules and Public Policy Committee

COUNCIL RESOLUTION 51

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 382

Adopted : 05/08/1995

275 SPONSORED BY: Councillor McClamroch

DIGEST: reappoints Judy Seubert to the Board of Ethics

REFERRED TO: Rules and Public Policy Committee

COUNCIL RESOLUTION 55

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 480

Adopted : 06/26/1995

276 SPONSORED BY: Councillor Gilmer

DIGEST: authorizes stop signs for the Huntington Pointe subdivision (District 1)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 71

APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 422

Adopted : 05/22/1995

277 SPONSORED BY: Councillor Gilmer

DIGEST: authorizes intersection controls for the Huntington Estates subdivision (District 1)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 72

APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 422

Adopted : 05/22/1995

278 SPONSORED BY: Councillor Gilmer

DIGEST: authorizes stop signs for the Huntington Ridge subdivision (District 1)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 73

APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 423

Adopted : 05/22/1995

279 SPONSORED BY: Councillor Hinkle

DIGEST: authorizes a multi-way stop at Wilshire Glen Drive and Cardiff Lane in the Wilshire Glen subdivision (District 18)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 74

APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 423

Adopted : 05/22/1995

1995 Proposal Index

280	SPONSORED BY: Councillor Borst		
	DIGEST: authorizes a multi-way stop at Banta Road and Harding Street (District 25)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	75
	APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 424	Adopted :	05/22/1995
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281	SPONSORED BY: Councillor Short		
	DIGEST: authorizes a multi-way stop at Hoyt Avenue and Spruce Street (District 21)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	76
	APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 424	Adopted :	05/22/1995
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282	SPONSORED BY: Councillor Beadling		
	DIGEST: authorizes a multi-way stop at Post Road and Troy Avenue (Districts 13, 23)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	
	APPROVED BY MAYOR: / / JOURNAL PAGE: 334	Stricken :	04/24/1995
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283	SPONSORED BY: Councillor Giffin		
	DIGEST: authorizes a traffic signal at Hanna Avenue and Kentucky Avenue (District 19)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	77
	APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 425	Adopted :	05/22/1995
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284	SPONSORED BY: Councillors Ruhmkorff, O'Dell		
	DIGEST: authorizes a traffic signal at Washington Street and Sadlier Drive (Districts 12, 13)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	78
	APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 426	Adopted :	05/22/1995
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285	SPONSORED BY: Councillor Black		
	DIGEST: prohibits parking on College Avenue from 100 feet south of 40th Street to 100 feet north of 40th Street (District 6)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	79
	APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 426	Adopted :	05/22/1995
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286	SPONSORED BY: Councillor Black		
	DIGEST: prohibits parking on both sides of 39th Street from Illinois Street to Meridian Street (District 6)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	70
	APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 421	Adopted :	05/22/1995
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287	SPONSORED BY: Councillor Gilmer		
	DIGEST: changes the speed limit for 82nd Street from Lafayette Road to County Line Road (District 1)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	80
	APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 427	Adopted :	05/22/1995
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288	SPONSORED BY: Councillor Hinkle		
	DIGEST: recognizing Indiana's "Mr. Basketball," Damon Frierson		
	REFERRED TO: Whole Committee	SPECIAL RESOLUTION	28
	APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 328	Adopted :	04/24/1995

1995 Proposal Index

289 SPONSORED BY: Councillor O'Dell
DIGEST: recognizing the 25th Anniversary of Public Broadcasting in Indianapolis
REFERRED TO: Whole Committee SPECIAL RESOLUTION 29
APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 329 Adopted : 04/24/1995

290 SPONSORED BY: Councillors Beadling, Rhodes
DIGEST: remembering the life of Richard "Dick" Hunt
REFERRED TO: Whole Committee SPECIAL RESOLUTION 30
APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 432 Adopted : 06/12/1995

291 SPONSORED BY: Councillor Williams
DIGEST: recognizing the Indiana Pacers and the Landmark to Peace
REFERRED TO: Whole Committee SPECIAL RESOLUTION 31
APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 329 Adopted : 04/24/1995

292 SPONSORED BY: Councillor Dowden
DIGEST: recognizing the National Day of Prayer
REFERRED TO: Whole Committee SPECIAL RESOLUTION 32
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 330 Adopted : 04/24/1995

293 SPONSORED BY: Councillors Smith, Coughenour
DIGEST: supporting the AMTRAK Beech Grove facility
REFERRED TO: Whole Committee SPECIAL RESOLUTION 33
APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 331 Adopted : 04/24/1995

294 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 5601 West Thompson Road
(approximate address) (94-Z-101)
REFERRED TO: Whole Committee REZONING ORDINANCE 55
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 355 Adopted : 04/24/1995

295 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 16, 1445-1447 North Tibbs Avenue
and 1444-1448 North Groff Avenue (approximate address) (95-Z-12)
REFERRED TO: Whole Committee REZONING ORDINANCE 56
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 355 Adopted : 04/24/1995

296 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 6105 Southeastern Avenue
(approximate address) (95-Z-6)
REFERRED TO: Whole Committee REZONING ORDINANCE 57
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 343 Adopted : 04/24/1995

1995 Proposal Index

- 297 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Center Township, Councilmanic District 17, 1621 West Washington Street (approximate address) (95-Z-18)
REFERRED TO: Whole Committee REZONING ORDINANCE 58
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 355 Adopted : 04/24/1995
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- 298 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2530 West Morris Street (approximate address) (95-Z-19)
REFERRED TO: Whole Committee REZONING ORDINANCE 59
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 355 Adopted : 04/24/1995
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- 299 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 2115 Southport Road and 23 West Street (approximate address), Southport (95-Z-24)
REFERRED TO: Whole Committee REZONING ORDINANCE 60
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 355 Adopted : 04/24/1995
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- 300 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 2, 8403 Michigan Road (approximate address) (95-Z-26)
REFERRED TO: Whole Committee REZONING ORDINANCE 61
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 356 Adopted : 04/24/1995
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- 301 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 5, 9467 East 38th Street (approximate address) (95-Z-32)
REFERRED TO: Whole Committee REZONING ORDINANCE 62
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 356 Adopted : 04/24/1995
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- 302 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 2, 8361 Michigan Road (approximate address) (95-Z-37)
REFERRED TO: Whole Committee REZONING ORDINANCE 63
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 356 Adopted : 04/24/1995
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- 303 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 2707 East Stop 11 Road (approximate address) (95-Z-40)
REFERRED TO: Whole Committee REZONING ORDINANCE 64
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 303 Adopted : 04/24/1995
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- 304 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 11, 4125 North Keystone Avenue (approximate address) (95-Z-41)
REFERRED TO: Whole Committee REZONING ORDINANCE 65
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 356 Adopted : 04/24/1995
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1995 Proposal Index

305	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 2347 North Shadeland Avenue (rear) (approximate address) (95-Z-44)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	66
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 356	Adopted : 04/24/1995
306	SPONSORED BY: Councillor ?		
	DIGEST: an appropriation transfer of \$758,401 to fund the Collection Division of the Office of Corporation Counsel in the Consolidated County Fund retroactive to January 1, 1995		
	REFERRED TO: Administration and Finance Committee	FISCAL ORDINANCE	
	APPROVED BY MAYOR: / /	JOURNAL PAGE:	Withdrawn : / /
307	SPONSORED BY: Councillors Smith, Rhodes		
	DIGEST: an appropriation to pay for salary increases for the Information Services Agency financed by revenues from the Information Services Internal Services Fund		
	REFERRED TO: Administration and Finance Committee	FISCAL ORDINANCE	49
	APPROVED BY MAYOR: 06/16/1995	JOURNAL PAGE: 444	Adopted : 06/12/1995
308	SPONSORED BY: Councillors Smith, Rhodes		
	DIGEST: an appropriation to pay salary increases for employees of the County Assessor and the nine Township Assessors financed by revenues from the Property Reassessment Fund		
	REFERRED TO: Administration and Finance Committee	FISCAL ORDINANCE	50
	APPROVED BY MAYOR: 06/16/1995	JOURNAL PAGE: 445	Adopted : 06/12/1995
309	SPONSORED BY: Councillors Smith, Rhodes		
	DIGEST: an appropriation to pay salary increases for all the County agencies financed by revenues from the County General Fund		
	REFERRED TO: Administration and Finance Committee	FISCAL ORDINANCE	51
	APPROVED BY MAYOR: 06/16/1995	JOURNAL PAGE: 446	Adopted : 06/12/1995
310	SPONSORED BY: Councillors Smith, Rhodes		
	DIGEST: increases certain salary ranges for County employees		
	REFERRED TO: Administration and Finance Committee	FISCAL ORDINANCE	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE:	Withdrawn : / /
311	SPONSORED BY: Councillors Smith, Rhodes		
	DIGEST: an appropriation to pay salary increases for the Metropolitan Emergency Communications Agency financed by revenues from the Metropolitan Emergency Communications Agency Fund		
	REFERRED TO: Administration and Finance Committee	FISCAL ORDINANCE	52
	APPROVED BY MAYOR: 06/16/1995	JOURNAL PAGE: 449	Adopted : 06/12/1995
312	SPONSORED BY: Councillor Dowden		
	DIGEST: an appropriation of \$108,000 for the Office of Youth and Family Services to provide services for families or individuals at risk of being homeless financed by additional federal grants		
	REFERRED TO: Community Affairs Committee	FISCAL ORDINANCE	60
	APPROVED BY MAYOR: 06/30/1995	JOURNAL PAGE: 491	Adopted : 06/26/1995

1995 Proposal Index

313 SPONSORED BY: Councillor West

DIGEST: appropriates an additional \$2,814,548 in Community Block Grant funds for redevelopment block grant activities financed by additional grants

REFERRED TO: Metropolitan Development Committee

FISCAL ORDINANCE 53

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 451

Adopted : 06/12/1995

314 SPONSORED BY: Councillor West

DIGEST: appropriates an additional \$2,814,548 of Community Development Block Grant funds for the Redevelopment General Fund for block grant activities: economic development, public services, housing, public improvements and support services financed by grant funds

REFERRED TO: Metropolitan Development Committee

FISCAL ORDINANCE 54

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 451

Adopted : 06/12/1995

315 SPONSORED BY: Councillors Schneider, McClamroch, Dowden

DIGEST: appoints James E. Logsdon to the Indianapolis-Marion County Public Library Board

REFERRED TO: Municipal Corporations Committee

COUNCIL RESOLUTION 53

APPROVED BY MAYOR: Not Req. JOURNAL PAGE:

Adopted : 05/22/1995

316 SPONSORED BY: Councillor SerVaas

DIGEST: authorizes intersection controls for the Robertson Village subdivision (District 2)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 82

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 462

Adopted : 06/12/1995

317 SPONSORED BY: Councillor SerVaas

DIGEST: authorizes stop signs at 44th Street and Paula Lane East Drive (District 2)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 83

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 463

Adopted : 06/12/1995

318 SPONSORED BY: Councillor Gray

DIGEST: authorizes multi-way stops at Deer Creek Avenue and Deer Creek Drive and at Deer Creek Drive, McCarty Court and Callan Drive (District 9)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 84

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 463

Adopted : 06/12/1995

319 SPONSORED BY: Councillor Black

DIGEST: authorizes a multi-way stop at 44th Street and Park Avenue (District 6)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 85

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 464

Adopted : 06/12/1995

320 SPONSORED BY: Councillor Black

DIGEST: authorizes a multi-way stop at Washington Boulevard and 32nd Street (Districts 6, 22)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE

APPROVED BY MAYOR: / / JOURNAL PAGE:

Stricken : 06/26/1995

1995 Proposal Index

321 SPONSORED BY: Councillor Rhodes
DIGEST: authorizes a multi-way stop at 53rd Street and Guilford Avenue (District 7)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 86
APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 464 Adopted : 06/12/1995

322 SPONSORED BY: Councillors Rhodes, Black
DIGEST: authorizes a multi way stop at 51st Street and Park Avenue (District 7)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 87
APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 465 Adopted : 06/12/1995

323 SPONSORED BY: Councillor Mullin
DIGEST: authorizes a multi-way stop at Delaware Street and Griffin Road (District 20)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 88
APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 465 Adopted : 06/12/1995

324 SPONSORED BY: Councillor Moriarty Adams
DIGEST: authorizes a multi-way stop at Wallace Avenue and 13th Street (District 15)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 89
APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 466 Adopted : 06/12/1995

325 SPONSORED BY: Councillor Smith
DIGEST: authorizes a multi-way stop at Sleet Drive and Somers Drive (District 23)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 90
APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 467 Adopted : 06/12/1995

326 SPONSORED BY: Councillor Brents
DIGEST: removes parking restrictions on Dr. Martin Luther King Jr. Street on the east side from 10th Street to 11th Street (District 16)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 92
APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 468 Adopted : 06/12/1995

327 SPONSORED BY: Councillor Williams
DIGEST: removes the parking restrictions on the west side of Delaware Street from 28th Street to 32nd Street (District 22)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 187
APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1078 Adopted : 10/30/1995

328 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 8701 and 8702 Lafayette Road (approximate address) (92-Z-109A)
REFERRED TO: Whole Committee REZONING ORDINANCE 67
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 385 Adopted : 05/08/1995

1995 Proposal Index

329	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 8702 Lafayette Road (approximate address) (92-Z-109B)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	68
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 385	Adopted : 05/08/1995
330	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 4784 East Edgewood Avenue (approximate address) (95-Z-35)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	69
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 385	Adopted : 05/08/1995
331	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 11875 Pendleton Pike (approximate address) Lawrence (94-Z-43 amended)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	70
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 385	Adopted : 05/08/1995
332	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 21, 1106, 1108, 1110, 1116-1118 Prospect Street and 1033 Shelby Street (approximate address) (95-Z-7)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	71
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 386	Adopted : 05/08/1995
333	SPONSORED BY: Councillor West		
	DIGEST: rezoning 237.77 acres at 7601 East Thompson Road in Franklin Township from I-2-S(FF) and I-4-S districts to the D-3(FF) classification to provide for residential development (District 23)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE:	Rejected : 05/22/1995
334	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 4, 5702 Allisonville Road (approximate address) (95-Z-23)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	72
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 386	Adopted : 05/08/1995
335	SPONSORED BY: Councillors Coughenour, Williams		
	DIGEST: recognizing Municipal Government Week		
	REFERRED TO: Whole Committee	SPECIAL RESOLUTION	36
	APPROVED BY MAYOR: 05/12/1995	JOURNAL PAGE: 380	Adopted : 05/08/1995
336	SPONSORED BY: Councillor Borst		
	DIGEST: amends S.R. No. 78, 1994, as amended, by extending the expiration date for Post Pointe Partners, Ltd. through November 30, 1995 (9027 East 39th Place, District 14)		
	REFERRED TO: Economic Development Committee	SPECIAL RESOLUTION	42
	APPROVED BY MAYOR: 05/26/1995	JOURNAL PAGE: 406	Adopted : 05/22/1995

1995 Proposal Index

337 SPONSORED BY: Councillor Borst

DIGEST: an Inducement Resolution for the Indianapolis Water Company in an amount not to exceed \$18,000,000 for additions to and expansions of the Indianapolis Water Company's existing operating facilities located within the City which will be used to provide water to users located in the City

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 43

APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 407

Adopted : 05/22/1995

338 SPONSORED BY: Councillor Gilmer

DIGEST: consolidates the Ordinance Violations Bureau and the Revenue Enhancement Division within the Office of Corporation Counsel

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 113

APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 573

Adopted : 08/01/1995

339 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation of \$515,098 to fund the Collections Division in the Office of Corporation Counsel financed by a transfer of funds from the Department of Capital Asset Management's Parking Meter Fund and from the Office of the Controller's Consolidated County Fund

REFERRED TO: Capital Asset Management Committee

FISCAL ORDINANCE 74

APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 575

Adopted : 08/01/1995

340 SPONSORED BY: Councillor Curry

DIGEST: an appropriation of \$38,449 for the City-County Council to contract for a cable television consultant financed by a transfer of funds from the Cable Communications Agency's Consolidated County Fund

REFERRED TO: Administration and Finance Committee

FISCAL ORDINANCE 61

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 492

Adopted : 06/26/1995

341 SPONSORED BY: Councillor West

DIGEST: an appropriation of \$3,200,000 of Community Development Block Grant Section 108 funds to carry out the following development projects: (1) the West Michigan Street Redevelopment Project, (2) the Mainscape Project, and (3) the New East Industrial Center and the Opportunity Factory

REFERRED TO: Metropolitan Development Committee

FISCAL ORDINANCE 67

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 548

Adopted : 07/17/1995

342 SPONSORED BY: Councillor West

DIGEST: an appropriation of \$335,000 to support direct acquisition of capital items by a qualified Community Development Corporation financed by a transfer of funds within DMD's Redevelopment General Fund

REFERRED TO: Metropolitan Development Committee

FISCAL ORDINANCE 58

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 456

Adopted : 06/12/1995

343 SPONSORED BY: Councillor McClamroch

DIGEST: appoints James Caughey to the Beech Grove Library Board

REFERRED TO: Municipal Corporations Committee

COUNCIL RESOLUTION 56

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 480

Adopted : 06/26/1995

1995 Proposal Index

344 SPONSORED BY: Councillor Dowden

DIGEST: determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Public Safety

REFERRED TO: Public Safety and Criminal Justice Committee

SPECIAL RESOLUTION 47

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 457

Adopted : 06/12/1995

345 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$230,900 to continue the County comprehensive traffic safety program through the Prosecuting Attorney financed by a federal grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 55

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 453

Adopted : 06/12/1995

346 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$445,100 to pay for law enforcement personnel participating in the multi-jurisdictional pursuit of illegal drug activities financed by revenues from a federal grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 56

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 454

Adopted : 06/12/1995

347 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$197,459 for the Marion County Justice Agency to purchase local area network equipment to provide detailed information (reports and graphs) relating to violent crime financed by a federal grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 57

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 455

Adopted : 06/12/1995

348 SPONSORED BY: Councillor Borst

DIGEST: concerns annual budgets

REFERRED TO: Rules and Public Policy Committee

GENERAL RESOLUTION

APPROVED BY MAYOR: / / JOURNAL PAGE:

Stricken : 10/30/1995

349 SPONSORED BY: Councillor Moriarty Adams

DIGEST: authorizing a multi way stop at Hawthorne Lane and 18th Street (District 15)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 91

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 467

Adopted : 06/12/1995

350 SPONSORED BY: Councillor Moriarty Adams

DIGEST: recognizing former Indianapolis Star reporter William E. "Bill" Anderson

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 39

APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 401

Adopted : 05/22/1995

351 SPONSORED BY: Councillor Golc

DIGEST: recognizing George Washington High School

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 40

APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 402

Adopted : 05/22/1995

1995 Proposal Index

352 SPONSORED BY: Councillor Beadling
DIGEST: recognizing Mary Fendrich Hulman
REFERRED TO: Whole Committee SPECIAL RESOLUTION 41
APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 402 Adopted : 05/22/1995

353 SPONSORED BY: Councillor Rhodes
DIGEST: amends the salaries of the mayor and the councillors after January 1, 1996
REFERRED TO: Administration and Finance Committee FISCAL ORDINANCE
APPROVED BY MAYOR: / / JOURNAL PAGE: Stricken : 10/30/1995

354 SPONSORED BY: Councillors Dowden, Short
DIGEST: an appropriation of \$102,315 for the County Auditor to pay the 1995 rent payments for the Family Advocacy Center financed by revenues from the County General Fund
REFERRED TO: Public Safety and Criminal Justice Committee FISCAL ORDINANCE 59
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 490 Adopted : 06/26/1995

355 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 5320-5352 East 21st Street (approximate address) (95-Z-51)
REFERRED TO: Whole Committee REZONING ORDINANCE 73
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 412 Adopted : 05/22/1995

356 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 2002 North Arlington Avenue (approximate address) (95-Z-46)
REFERRED TO: Whole Committee REZONING ORDINANCE 74
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 412 Adopted : 05/22/1995

357 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 717 South East Street (approximate address) (95-Z-47 Amended)
REFERRED TO: Whole Committee REZONING ORDINANCE 75
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 412 Adopted : 05/22/1995

358 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 905 East Troy Avenue (approximate address) (95-Z-56)
REFERRED TO: Whole Committee REZONING ORDINANCE 76
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 412 Adopted : 05/22/1995

359 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 3006 West Southport Road (approximate address) (95-Z-57)
REFERRED TO: Whole Committee REZONING ORDINANCE 77
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 413 Adopted : 05/22/1995

1995 Proposal Index

360	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 7919-7811 Laverne Street (approximate address) (95-Z-59)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	78
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 413	Adopted : 05/22/1995
361	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 7610 South Meridian Street (approximate address) (95-Z-60)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	79
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 413	Adopted : 05/22/1995
362	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 7, 2415 East 72nd Street (approximate address) (95-Z-63)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	80
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 412	Adopted : 05/22/1995
363	SPONSORED BY: Councillor McClamroch		
	DIGEST: appoints John R. Curtis to the Fort Harrison Reuse Authority		
	REFERRED TO: Economic Development Committee	COUNCIL RESOLUTION	54
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 435	Adopted : 06/12/1995
364	SPONSORED BY: Councillor West		
	DIGEST: approving the disbursement of \$3,000,000 of Community Development Block Grant funds		
	REFERRED TO: Metropolitan Development Committee	SPECIAL RESOLUTION	48
	APPROVED BY MAYOR: 06/16/1995	JOURNAL PAGE: 458	Adopted : 06/12/1995
365	SPONSORED BY: Councillor West		
	DIGEST: amends the Comprehensive Zoning Maps of Marion County by updating base maps #9, #22, #26, and #27		
	REFERRED TO: Metropolitan Development Committee	GENERAL ORDINANCE	94
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 500	Adopted : 06/26/1995
366	SPONSORED BY: Councillor West		
	DIGEST: authorizes the County Recorder to charge a supplemental fee of \$3 per document for recording documents		
	REFERRED TO: Metropolitan Development Committee	SPECIAL ORDINANCE	8
	APPROVED BY MAYOR: 07/24/1995	JOURNAL PAGE: 544	Adopted : 07/17/1995
367	SPONSORED BY: Councillor Smith		
	DIGEST: allows changes in salary schedules of County employees to become effective at other times than at beginning of a fiscal year		
	REFERRED TO: Administration and Finance Committee	GENERAL ORDINANCE	95
	APPROVED BY MAYOR: 06/30/1995	JOURNAL PAGE: 501	Adopted : 06/26/1995

1995 Proposal Index

368 SPONSORED BY: Councillor Smith

DIGEST: amends county salary schedules to increase salary ranges for County employees

REFERRED TO: Administration and Finance Committee

GENERAL RESOLUTION 2

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 502

Adopted : 06/26/1995

369 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation of \$32,069 to pay for accumulated compensatory time and benefit leave for employees who have left the County Coroner's office financed from the County General Fund balances

REFERRED TO: Administration and Finance Committee

FISCAL ORDINANCE 68

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 549

Adopted : 07/17/1995

370 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation of \$200,000 for the Indianapolis Fleet Services to cover increased expenditures in the cost of contractual repairs for City vehicles financed by a transfer of funds within the division's Consolidated County Fund

REFERRED TO: Administration and Finance Committee

FISCAL ORDINANCE 65

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 503

Adopted : 06/26/1995

371 SPONSORED BY: Councillor McClamroch

DIGEST: an appropriation to adjust judicial and prosecutorial salaries to conform to statutory changes effective July 1, resulting in a net reduction in appropriated County General Funds of \$390,236

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 66

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 504

Adopted : 06/26/1995

372 SPONSORED BY: Councillor Dowden

DIGEST: an additional appropriation of \$116,325 for the Public Defender Agency to achieve staffing levels sufficient to qualify for state reimbursement in excess of such increases

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 69

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 550

Adopted : 07/17/1995

373 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$880,309 to pay Community Corrections operational expenses for fiscal year 1995/1996 financed by state and federal grants

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 62

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 494

Adopted : 06/26/1995

374 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$262,422 for Community Corrections to pay personnel, home detention equipment and office supply expenses for fiscal year 1995/1996 financed by revenues from the Home Detention User Fee Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 70

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 552

Adopted : 07/17/1995

375 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$7,000 for Community Corrections to pay for additional bed space in the Community Corrections Residential Program financed by revenues from the Home Detention User Fee Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 71

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 552

Adopted : 07/17/1995

1995 Proposal Index

- 376 SPONSORED BY: Councillor Dowden
DIGEST: an appropriation of \$77,234 for Community Corrections to fund the Juvenile Court Intensive Probation Services Program for fiscal year 1995/1996 financed by state and federal grants
REFERRED TO: Public Safety and Criminal Justice Committee FISCAL ORDINANCE 63
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 495 Adopted : 06/26/1995
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- 377 SPONSORED BY: Councillor Dowden
DIGEST: an appropriation of \$43,750 for Community Corrections to fund Prosecutor Newman's Project Strategic Intervention with Brothers and Sisters (Project SIBS) (formerly Project Courage) financed by state and federal grants
REFERRED TO: Public Safety and Criminal Justice Committee FISCAL ORDINANCE 64
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 496 Adopted : 06/26/1995
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- 378 SPONSORED BY: Councillor Dowden
DIGEST: revises provisions for registration of private emergency alarm systems and penalties for false alarm violations
REFERRED TO: Public Safety and Criminal Justice Committee GENERAL ORDINANCE 214
APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1207 Adopted : 12/11/1995
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- 379 SPONSORED BY: Councillors Gilmer, Gray
DIGEST: authorizes traffic signals at Kessler Boulevard and the two 38th Street ramps (Districts 2, 9)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 98
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 513 Adopted : 06/26/1995
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- 380 SPONSORED BY: Councillor Smith
DIGEST: authorizes stop signs for the Spring Oaks Subdivision - Section One (District 23)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 99
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 514 Adopted : 06/26/1995
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- 381 SPONSORED BY: Councillor Borst
DIGEST: authorizes stop signs for the Village of Orchard Park subdivision (District 25)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 100
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 514 Adopted : 06/26/1995
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- 382 SPONSORED BY: Councillor Moriarty Adams
DIGEST: authorizes a multi-way stop at Riley Avenue and 19th Street (District 15)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 101
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 515 Adopted : 06/26/1995
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- 383 SPONSORED BY: Councillor Beadling
DIGEST: authorizes a multi-way stop at Anchor Bay Court, Anchor Bay Drive, and Old Stone Drive (District 5)
REFERRED TO: Capital Asset Management Committee GENERAL ORDINANCE 102
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 515 Adopted : 06/26/1995
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1995 Proposal Index

384 SPONSORED BY: Councillor Rhodes

DIGEST: authorizes multi-way stops at Ralston Avenue and Randall Road, and at 75th Street and Ralston Avenue (District 7)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 103

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 516

Adopted : 06/26/1995

385 SPONSORED BY: Councillor Rhodes

DIGEST: authorizes a multi-way stop at Norwaldo Avenue and 61st Street (District 7)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 104

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 517

Adopted : 06/26/1995

386 SPONSORED BY: Councillor Short

DIGEST: authorizes a multi-way stop at State Avenue and Walker Avenue (District 21)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 105

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 517

Adopted : 06/26/1995

387 SPONSORED BY: Councillor Smith

DIGEST: authorizes a multi-way stop at Combs Road and Stop 11 Road (District 23)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 106

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 518

Adopted : 06/26/1995

388 SPONSORED BY: Councillor Smith

DIGEST: authorizes a multi-way stop at Hickory Road and Indian Creek Road South (District 23)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 107

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 518

Adopted : 06/26/1995

389 SPONSORED BY: Councillor Smith

DIGEST: authorizes a multi-way stop at Fairlane West Drive and Indian Creek Road South (District 23)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 129

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 750

Adopted : 08/28/1995

390 SPONSORED BY: Councillor Williams

DIGEST: prohibits parking on the southeast and northwest corners of College Avenue and 24th Street (District 22)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 108

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 519

Adopted : 06/26/1995

391 SPONSORED BY: Councillor Moriarty Adams

DIGEST: prohibits parking on the northwest corner of 10th Street at Emerson Avenue, and on the west side of Emerson Avenue from 10th Street to 11th Street (District 15)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 109

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 520

Adopted : 06/26/1995

392 SPONSORED BY: Councillors Black, Williams

DIGEST: prohibits parking on Washington Boulevard north and south of 32nd Street (Districts 6, 22)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 110

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 520

Adopted : 06/26/1995

1995 Proposal Index

393	SPONSORED BY: Councillor Brents		
DIGEST: changes North Street from Canal Bridge to Senate Avenue from a one-way street to a two-way street (District 16)			
REFERRED TO: Capital Asset Management Committee		GENERAL ORDINANCE	111
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 521		Adopted : 06/26/1995	
394	SPONSORED BY: Councillor Borst		
DIGEST: recognizes the newest development phase of the White River State Park			
REFERRED TO: Whole Committee		SPECIAL RESOLUTION	44
APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 433		Adopted : 06/12/1995	
395	SPONSORED BY: Councillors Hinkle, Jimison		
DIGEST: concerns the United Way of Central Indiana's Day of Caring			
REFERRED TO: Whole Committee		SPECIAL RESOLUTION	45
APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 434		Adopted : 06/12/1995	
396	SPONSORED BY: Councillor Franklin		
DIGEST: recognizing the Marion County Sheriff's Police Athletic League Playground Park at 42nd Street and Mitthoefer Road			
REFERRED TO: Whole Committee		SPECIAL RESOLUTION	46
APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 435		Adopted : 06/12/1995	
397	SPONSORED BY: Councillor Dowden		
DIGEST: amends the Revised Code concerning the Public Defender Board and Agency to conform to the comprehensive plan adopted by the Board			
REFERRED TO: Public Works Committee		GENERAL ORDINANCE	96
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 508		Adopted : 06/26/1995	
398	SPONSORED BY: Councillor Dowden		
DIGEST: approves a comprehensive plan for indigent defense services in non-capital cases			
REFERRED TO: Public Safety and Criminal Justice Committee		GENERAL RESOLUTION	3
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 509		Adopted : 06/26/1995	
399	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 6950 North Michigan Road (approximate address) (95-Z-45)			
REFERRED TO: Whole Committee		REZONING ORDINANCE	81
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 439		Adopted : 06/12/1995	
400	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 2, 615 West 63rd Street (approximate address) (94-Z-137C)			
REFERRED TO: Whole Committee		REZONING ORDINANCE	82
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 440		Adopted : 06/12/1995	

1995 Proposal Index

401 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 4820-4830 South Emerson Avenue (approximate address) (95-Z-66)

REFERRED TO: Whole Committee

REZONING ORDINANCE 83

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 440

Adopted : 06/12/1995

402 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 6378 Bluf Road (approximate address) (94-Z-206)

REFERRED TO: Whole Committee

REZONING ORDINANCE 84

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 440

Adopted : 06/12/1995

403 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance ofr Center Township, Councilmanic District 15, 3401 East New York Street (approximate address) (95-Z-52)

REFERRED TO: Whole Committee

REZONING ORDINANCE 85

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 440

Adopted : 06/12/1995

404 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2024 Stout Field East Drive (approximate address) (95-Z-68)

REFERRED TO: Whole Committee

REZONING ORDINANCE 86

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 440

Adopted : 06/12/1995

405 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2002 South Holt Road (approximate address) (95-Z- 69)

REFERRED TO: Whole Committee

REZONING ORDINANCE 87

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 440

Adopted : 06/12/1995

406 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 3518 Tansel Road (approximate address) Clermont (95-Z-76)

REFERRED TO: Whole Committee

REZONING ORDINANCE 88

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 440

Adopted : 06/12/1995

407 SPONSORED BY: Councillor SerVaas

DIGEST: consents to the incorporation of the Town of North Madison, Indiana

REFERRED TO: Metropolitan Development Committee

SPECIAL ORDINANCE

APPROVED BY MAYOR: / /

JOURNAL PAGE: 1125

Defeated : 11/20/1995

408 SPONSORED BY: Councillor Borst

DIGEST: amends S.R. No. 93, 1994, by extending the expiration date for Pleasant Run Children's Homes, Inc. through December 31, 1995, and changing the proposed location of the project to 2405 North Tibbs Avenue (District 16)

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 56

APPROVED BY MAYOR: 06/30/1995

JOURNAL PAGE: 482

Adopted : 06/26/1995

1995 Proposal Index

409 SPONSORED BY: Councillor Borst

DIGEST: amends S.R. No. 54, 1994, by extending the expiration date for North American Laboratory Company and SOHL Associates through December 31, 1995 (District 9)

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 57

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 484

Adopted : 06/26/1995

410 SPONSORED BY: Councillor Borst

DIGEST: amends S.R. No. 84, 1990, by extending the expiration date for Meadows Revival, Inc. through December 31, 1995 (District 11)

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 58

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 485

Adopted : 06/26/1995

411 SPONSORED BY: Councillor Borst

DIGEST: an Inducement Resolution for Sutton Place Apartments, L.P., an Indiana limited partnership, to proceed with the acquisition, renovation and equipping of the existing 360-unit multi-family residential rental project located at 9350 East 43rd Street on approximately 35 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 14)

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 59

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 486

Adopted : 06/26/1995

412 SPONSORED BY: Councillor West

DIGEST: approves the disbursement of the additional \$2,814,548 of Community Development Block Grant funds appropriated June 12, 1995

REFERRED TO: Metropolitan Development Committee

SPECIAL RESOLUTION 60

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 480

Adopted : 06/26/1995

413 SPONSORED BY: Councillor West

DIGEST: amends the Dwelling Districts Zoning Ordinance to provide for a 3000 foot separation between group homes for the mentally ill

REFERRED TO: Metropolitan Development Committee

GENERAL ORDINANCE 97

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 481

Adopted : 06/26/1995

414 SPONSORED BY: Councillor Curry

DIGEST: recodifies the cable television regulations

REFERRED TO: Rules and Public Policy Committee

GENERAL ORDINANCE 128

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 626

Adopted : 08/28/1995

415 SPONSORED BY: Councillor Rhodes

DIGEST: amends the current lease between the City and the Indianapolis City Market Corporation to add the pedestrian bridge over Alabama Street as a part of the leased property

REFERRED TO: Administration and Finance Committee

SPECIAL RESOLUTION

APPROVED BY MAYOR: / / JOURNAL PAGE:

Withdrawn : / /

1995 Proposal Index

416 SPONSORED BY: Councillor Smith

DIGEST: an appropriation of \$44,031 for the Franklin Township Assessor to pay relocation expenses financed from the County General Fund balances

REFERRED TO: Administration and Finance Committee

FISCAL ORDINANCE 75

APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 577

Adopted : 08/01/1995

417 SPONSORED BY: Councillor Franklin

DIGEST: an appropriation of \$2,720 for the Superior Court, Criminal Division, Room Three, to pay for additional supply, office equipment, and parking expenses financed by a transfer of funds within the court's budget

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 73

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 554

Adopted : 07/17/1995

418 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$199,877 for Community Corrections to continue the Craine House Family Living Program financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 72

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 553

Adopted : 07/17/1995

419 SPONSORED BY: Councillor Curry

DIGEST: authorizing the City to issue its Resource Recovery Revenue Refunding Bonds (Ogden Martin Systems of Indianapolis, Inc. Project), Series 1996

REFERRED TO: Rules and Public Policy Committee

SPECIAL ORDINANCE 9

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 555

Adopted : 07/17/1995

420 SPONSORED BY: Councillor Hinkle

DIGEST: recognizes the Ben Davis Special Olympics Volleyball Team

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 49

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 476

Adopted : 06/26/1995

421 SPONSORED BY: Councillor Hinkle

DIGEST: recognizes the Wayne Township Fire Department

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 50

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 477

Adopted : 06/26/1995

422 SPONSORED BY: Councillors Franklin, Short

DIGEST: recognizes Christine "Chris" Johnson

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 51

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 477

Adopted : 06/26/1995

423 SPONSORED BY: Councillor Dowden

DIGEST: recognizes J. Lloyd Grannan

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 52

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 478

Adopted : 06/26/1995

1995 Proposal Index

424	SPONSORED BY: Councillors Rhodes, Schneider, Dowden, DIGEST: concerns movie video tape distribution by the Indianapolis-Marion County Public Library REFERRED TO: Municipal Corporations Committee APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 547	SPECIAL RESOLUTION 67 Adopted : 07/17/1995
425	SPONSORED BY: Councillor O'Dell DIGEST: recognizes the contributions of Councillor Betty Ruhmkorff REFERRED TO: Whole Committee APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 479	SPECIAL RESOLUTION 54 Adopted : 06/26/1995
426	SPONSORED BY: Councillors Boyd, SerVaas, McClamroch DIGEST: welcomes Dr. Esperanza Zendejas to the City and into the position of Superintendent of Public Schools REFERRED TO: Whole Committee APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 472	SPECIAL RESOLUTION 55 Adopted : 06/26/1995
427	SPONSORED BY: Councillor West DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 8101 Dean Road (approximate address) (95-Z-53) REFERRED TO: Whole Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 488	REZONING ORDINANCE 89 Adopted : 06/26/1995
428	SPONSORED BY: Councillor West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 4784 East Edgewood Avenue (approximate address) (95-Z-73) REFERRED TO: Whole Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 488	REZONING ORDINANCE 90 Adopted : 06/26/1995
429	SPONSORED BY: Councillor West DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 5401 East Southport Road (approximate address) (95-Z-58) REFERRED TO: Whole Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 488	REZONING ORDINANCE Rejected : 07/17/1995
430	SPONSORED BY: Councillor West DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 6673 South Emerson Avenue (approximate address) (95-DP-5) REFERRED TO: Whole Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 488	REZONING ORDINANCE 91 Adopted : 06/26/1995
431	SPONSORED BY: Councillor West DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 7531 Trotter Road (approximate address) (95-Z-61) REFERRED TO: Whole Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 488	REZONING ORDINANCE 92 Adopted : 06/26/1995

1995 Proposal Index

432 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 7881 South Emerson Avenue (approximate address) (95-Z-67)

REFERRED TO: Whole Committee

REZONING ORDINANCE 93

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 488

Adopted : 06/26/1995

433 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 501 Madison Avenue (approximate address) (95-Z-71)

REFERRED TO: Whole Committee

REZONING ORDINANCE 94

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 488

Adopted : 06/26/1995

434 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 6450 West Hanna Avenue (approximate address) (95-Z-82)

REFERRED TO: Whole Committee

REZONING ORDINANCE 95

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 488

Adopted : 06/26/1995

435 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 2401 National Avenue (approximate address) (95-Z-83)

REFERRED TO: Whole Committee

REZONING ORDINANCE 96

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 488

Adopted : 06/26/1995

436 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 2405 National Avenue (approximate address) (95-Z-84)

REFERRED TO: Whole Committee

REZONING ORDINANCE 97

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 488

Adopted : 06/26/1995

437 SPONSORED BY: Councillor Borst

DIGEST: authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$3 million for SOHL Associates, LLC (southwest corner of 62nd Street and Guion Road (District 9)

REFERRED TO: Economic Development Committee

SPECIAL ORDINANCE 7

APPROVED BY MAYOR: 07/24/1995

JOURNAL PAGE: 533

Adopted : 07/17/1995

438 SPONSORED BY: Councillor Borst

DIGEST: an inducement resolution for Faris Avenue Limited Partnership in an amount not to exceed \$8 million to proceed with the acquisition, renovation and equipping of the existing 354 unit multi-family residential rental facility located at 6875 Faris Avenue (District 11)

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 65

APPROVED BY MAYOR: 07/24/1995

JOURNAL PAGE: 535

Adopted : 07/17/1995

1995 Proposal Index

439 SPONSORED BY: Councillor Borst

DIGEST: an inducement resolution for Emerald Green Housing Partners, Ltd, in an amount not to exceed \$12,875,000 to proceed with the acquisition, renovation and equipping of the existing 192 unit multi-family residential rental facility plus the construction of an additional 184 multi-family residential rental unit located at 6363 Commons Drive (District 1)

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 66

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 537

Adopted : 07/17/1995

440 SPONSORED BY: Councillors McClamroch, SerVaas

DIGEST: appoints Dr. Philip Borst to the Capital Improvement Board of Managers

REFERRED TO: Municipal Corporations Committee

COUNCIL RESOLUTION 57

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 604

Adopted : 08/28/1995

441 SPONSORED BY: Councillor O'Dell

DIGEST: an appropriation of \$15,530 for the County Sheriff to provide security at the Marion County Children's Guardian Home financed by a transfer of funds from the Children's Guardian Home's County General Fund

REFERRED TO: Community Affairs Committee

FISCAL ORDINANCE 78

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 614

Adopted : 08/28/1995

442 SPONSORED BY: Councillor McClamroch

DIGEST: amends County budget to authorize direct payment of additional salaries for judges in amounts previously approved

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 77

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 592

Adopted : 08/01/1995

443 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$294,000 for the County Sheriff, Community Corrections, and the Marion County Justice Agency to continue various programs to divert misdemeanor populations from state penal facilities financed by revenues from the County Correction Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 79

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 615

Adopted : 08/28/1995

444 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation to reclassify fringes to salary for the Marion County Justice Agency in the amount of \$6,500 financed by a transfer of funds within the Drug Free Community Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 76

APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 578

Adopted : 08/01/1995

445 SPONSORED BY: Councillor Coughenour

DIGEST: an appropriation of \$785,271 for the Department of Public Works, Environmental Resources Management Division, to meet the City's obligation to the Northside Landfill Superfund and to address USEPA's concerns at the City-owned Tibbs-Banta Landfill financed from Sanitation General Fund balances

REFERRED TO: Public Works Committee

FISCAL ORDINANCE 80

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 619

Adopted : 08/28/1995

1995 Proposal Index

446	SPONSORED BY: Councillor Coughenour		
	DIGEST: establishes increased penalties for air pollution control violations		
	REFERRED TO: Public Works Committee	GENERAL ORDINANCE	114
	APPROVED BY MAYOR: 08/04/1995	JOURNAL PAGE: 579	Adopted : 08/01/1995
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447	SPONSORED BY: Councillor Smith		
	DIGEST: authorizes a traffic signal for the Marsh Access Drive with Thompson Road approximately 1,200 feet east of Emerson (District 23)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 1244	Stricken : 12/11/1995
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448	SPONSORED BY: Councillor Dowden		
	DIGEST: authorizes intersection controls in the East Avalon Hills area (District 4)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	115
	APPROVED BY MAYOR: 08/04/1995	JOURNAL PAGE: 584	Adopted : 08/01/1995
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449	SPONSORED BY: Councillor Gilmer		
	DIGEST: authorizes a stop sign for the Chestnut Hills subdivision (District 1)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	116
	APPROVED BY MAYOR: 08/04/1995	JOURNAL PAGE: 584	Adopted : 08/01/1995
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450	SPONSORED BY: Councillor Gilmer		
	DIGEST: authorizes multi-way stops for the Eagle Creek North subdivision (District 1)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	117
	APPROVED BY MAYOR: 08/04/1995	JOURNAL PAGE: 584	Adopted : 08/01/1995
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451	SPONSORED BY: Councillor Gilmer		
	DIGEST: authorizes multi-way stops at Arabian Run and Duffer Circle, and at Arabian Run and Kinnett Lane (Districts 2, 9)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	118
	APPROVED BY MAYOR: 08/04/1995	JOURNAL PAGE: 585	Adopted : 08/01/1995
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452	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at 14th Street and Bosart Avenue (District 15)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	119
	APPROVED BY MAYOR: 08/04/1995	JOURNAL PAGE: 586	Adopted : 08/01/1995
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453	SPONSORED BY: Councillor Schneider		
	DIGEST: authorizes a multi-way stop at Kilmer Lane and Susan Drive South (District 3)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	120
	APPROVED BY MAYOR: 08/04/1995	JOURNAL PAGE: 586	Adopted : 08/01/1995
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454	SPONSORED BY: Councillor Black		
	DIGEST: authorizes a multi-way stop at 48th Street and Park Avenue (District 6)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	121
	APPROVED BY MAYOR: 08/04/1995	JOURNAL PAGE: 587	Adopted : 08/01/1995

1995 Proposal Index

455	SPONSORED BY: Councillor Dowden		
DIGEST:	authorizes a multi-way stop at Rolling Ridge Road and Winding Way Lane (District 4)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	122
APPROVED BY MAYOR:	08/04/1995 JOURNAL PAGE: 587	Adopted :	08/01/1995
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456	SPONSORED BY: Councillors Coughenour, Mullin		
DIGEST:	authorizes a multi-way stop at State Avenue and National Avenue (Districts 20, 24)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	123
APPROVED BY MAYOR:	08/04/1995 JOURNAL PAGE: 588	Adopted :	08/01/1995
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457	SPONSORED BY: Councillor Williams		
DIGEST:	authorizes a multi-way stop at Alabama Street and St. Joseph Street (District 22)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	124
APPROVED BY MAYOR:	08/04/1995 JOURNAL PAGE: 588	Adopted :	08/01/1995
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458	SPONSORED BY: Councillor SerVaas		
DIGEST:	authorizes a multi-way stop at Glen Coe Drive and 63rd Street (District 2)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	125
APPROVED BY MAYOR:	08/04/1995 JOURNAL PAGE: 589	Adopted :	08/01/1995
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459	SPONSORED BY: Councillor Rhodes		
DIGEST:	changes the intersection control at 86th Street and Haverstick Road from a traffic signal to stop signs (Districts 3, 7)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	
APPROVED BY MAYOR:	/ / JOURNAL PAGE:	No Action Taken In '95 :	/ /
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460	SPONSORED BY: Councillors SerVaas, Rhodes		
DIGEST:	authorizes a one-way east bound on Westfield Boulevard from College Avenue to Guilford Avenue (Districts 2, 7)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	126
APPROVED BY MAYOR:	08/04/1995 JOURNAL PAGE: 595	Adopted :	08/01/1995
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461	SPONSORED BY: Councillors Gilmer, Gray		
DIGEST:	authorizes a 35 mph speed limit for 59th Street from Moller Road to Guion Road (Districts 1, 9)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	127
APPROVED BY MAYOR:	08/04/1995 JOURNAL PAGE: 595	Adopted :	08/01/1995
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462	SPONSORED BY: Councillor O'Dell		
DIGEST:	concerns Indianapolis, U.S.A., and Scarborough, Canada		
REFERRED TO:	Whole Committee	SPECIAL RESOLUTION	61
APPROVED BY MAYOR:	07/24/1995 JOURNAL PAGE: 527	Adopted :	07/17/1995
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463	SPONSORED BY: Councillors Jimison, Boyd, Jones		
DIGEST:	recognizes the 25th anniversary of Indiana Black Expo		
REFERRED TO:	Whole Committee	SPECIAL RESOLUTION	62
APPROVED BY MAYOR:	07/24/1995 JOURNAL PAGE: 527	Adopted :	07/17/1995

1995 Proposal Index

464	SPONSORED BY: Councillor Mullin		
DIGEST: concerns the Garfield Park Grove of Remembrance			
REFERRED TO: Whole Committee		SPECIAL RESOLUTION 63	
APPROVED BY MAYOR: 07/24/1995		JOURNAL PAGE: 528	Adopted : 07/17/1995
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465	SPONSORED BY: Councillors Williams, Rhodes, SerVaas		
DIGEST: asks the Metropolitan Development Commission to enforce long-standing policy with respect to advertising signs inside the I-465 beltway			
REFERRED TO: Whole Committee		SPECIAL RESOLUTION 64	
APPROVED BY MAYOR: 07/24/1995		JOURNAL PAGE: 529	Adopted : 07/17/1995
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466	SPONSORED BY: Councillor McClamroch		
DIGEST: reduces the appropriations for the Presiding Judge of the Municipal Courts in the amount of \$242,023 to conform to projected expenditure levels in anticipation of court unification			
REFERRED TO: Public Safety and Criminal Justice Committee		FISCAL ORDINANCE	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE:	No Action Taken In '95 : / /
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467	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 6174 Churchman Avenue (approximate address) (95-Z-70)			
REFERRED TO: Whole Committee		REZONING ORDINANCE 98	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 539	Adopted : 07/17/1995
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468	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 9602-9902 Fall Creek Road (approximate address) (95-Z-42) (95-DP-2)			
REFERRED TO: Whole Committee		REZONING ORDINANCE 115	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 572	Adopted : 08/01/1995
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469	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 5880 Mann Road (approximate address) (95-Z-72)			
REFERRED TO: Whole Committee		REZONING ORDINANCE 99	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 539	Adopted : 07/17/1995
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470	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 4935 North High School Road (approximate address) (95-Z-78)			
REFERRED TO: Whole Committee		REZONING ORDINANCE 100	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 539	Adopted : 07/17/1995
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471	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 8004 Brookville Road (approximate address) (95-Z-81)			
REFERRED TO: Whole Committee		REZONING ORDINANCE 101	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 539	Adopted : 07/17/1995
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1995 Proposal Index

472	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 6361 East 34th Street (approximate address) (95-Z-87)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE 102	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 539	Adopted : 07/17/1995
473	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 20, 2005-2025 South Barth Avenue (approximate address) (95-Z-90)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE 103	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 539	Adopted : 07/17/1995
474	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 310 West Michigan Street (approximate address) (95-Z-91)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE 104	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 539	Adopted : 07/17/1995
475	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 2503 Central Avenue (approximate address) (95-Z-96)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE 105	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 539	Adopted : 07/17/1995
476	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 6, 3333 North Meridian Street (approximate address) (95-Z-98)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE 106	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 539	Adopted : 07/17/1995
477	SPONSORED BY: Councillor West		
	DIGEST: amends the Comprehensive Zoning Maps of Marion County by updating base maps #4, #23, #24, and to correct mapping errors on base maps #14D, #18C, #28C, and #35B		
	REFERRED TO: Metropolitan Development Committee	GENERAL ORDINANCE 133	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 802	Adopted : 09/11/1995
478	SPONSORED BY: Councillor McClamroch		
	DIGEST: establishes certain zoning procedures for Marion County (95-AO-10)		
	REFERRED TO: Metropolitan Development Committee	GENERAL ORDINANCE 180	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE:	In effect w/out vote : 10/16/1995
479	SPONSORED BY: Councillor West		
	DIGEST: amends Special Resolution No. 48, 1995 to correct the schedule of approved Community Development Block Grant programs		
	REFERRED TO: Metropolitan Development Committee	SPECIAL RESOLUTION 71	
	APPROVED BY MAYOR: 08/04/1995	JOURNAL PAGE: 591	Adopted : 08/01/1995

1995 Proposal Index

480	SPONSORED BY: Councillor McClamroch		
	DIGEST: appoints Charles Hiltunen to the Cable Franchise Board		
	REFERRED TO: Administration and Finance Committee	COUNCIL RESOLUTION	58
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 605	Adopted : 08/28/1995
481	SPONSORED BY: Councillor Smith		
	DIGEST: authorizes the lease of office space for the Franklin Township Assessor at 4531 Independence Square		
	REFERRED TO: Administration and Finance Committee	SPECIAL RESOLUTION	77
	APPROVED BY MAYOR: 09/01/1995	JOURNAL PAGE: 667	Adopted : 08/28/1995
482	SPONSORED BY: Councillor Rhodes		
	DIGEST: approves a public purpose grant in the amount of \$65,000 to Indiana University at Indianapolis for the purpose of financing educational access cable television programming		
	REFERRED TO: Administration and Finance Committee	SPECIAL RESOLUTION	78
	APPROVED BY MAYOR: 09/01/1995	JOURNAL PAGE: 668	Adopted : 08/28/1995
483	SPONSORED BY: Councillors Curry, Hinkle, Giffin		
	DIGEST: approves the issuance of \$13 million of Notes for the purpose of paying the costs of certain infrastructure improvements in the Decatur Township portion of the Airport Industrial Economic Development Area		
	REFERRED TO: Economic Development Committee	SPECIAL RESOLUTION	53
	APPROVED BY MAYOR: 09/01/1995	JOURNAL PAGE: 620	Adopted : 08/28/1995
484	SPONSORED BY: Councillors Rhodes, Borst		
	DIGEST: concerns leasing of right-of-way for vending from carts and stands, replaces current system of licensing carts, and recodifies other relevant provisions		
	REFERRED TO: Administration and Finance Committee	GENERAL ORDINANCE	215
	APPROVED BY MAYOR: 12/18/1995	JOURNAL PAGE: 1215	Adopted : 12/11/1995
485	SPONSORED BY: Councillors Giffin, Franklin, Gray		
	DIGEST: authorizes the lease by the Indianapolis Department of Parks and Recreation of approximately 35 acres of land formerly known as the Riverside Nursery to R. N. Thompson & Associates, Inc. for the construction, development, and management of a golf academy		
	REFERRED TO: Parks and Recreation Committee	SPECIAL ORDINANCE	11
	APPROVED BY MAYOR: 09/01/1995	JOURNAL PAGE: 669	Adopted : 08/28/1995
486	SPONSORED BY: Councillors Giffin, Franklin, Gray		
	DIGEST: authorizes the lease by the Indianapolis Department of Parks and Recreation of approximately 150 acres of land currently consisting of a nine-hole golf course and driving range and commonly referred to as Winding River Municipal Golf Course to R. H. West Management Corporation for the construction, development, and management of an eighteen-hole golf course		
	REFERRED TO: Parks and Recreation Committee	SPECIAL ORDINANCE	12
	APPROVED BY MAYOR: 09/01/1995	JOURNAL PAGE: 686	Adopted : 08/28/1995

1995 Proposal Index

487	SPONSORED BY: Councillor Dowden		
	DIGEST: an appropriation of \$7,754 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a federal grant		
	REFERRED TO: Public Safety and Criminal Justice Committee	FISCAL ORDINANCE	87
	APPROVED BY MAYOR: 09/28/1995	JOURNAL PAGE: 966	Adopted : 09/25/1995
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488	SPONSORED BY: Councillor Dowden		
	DIGEST: an appropriation of \$89,957 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a Family and Social Services Administration grant		
	REFERRED TO: Public Safety and Criminal Justice Committee	FISCAL ORDINANCE	88
	APPROVED BY MAYOR: 09/28/1995	JOURNAL PAGE: 966	Adopted : 09/25/1995
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489	SPONSORED BY: Councillor McClamroch		
	DIGEST: appoints William Brown to the Air Pollution Control Board		
	REFERRED TO: Public Works Committee	COUNCIL RESOLUTION	60
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 761	Adopted : 09/11/1995
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490	SPONSORED BY: Councillors Curry, Golc		
	DIGEST: authorizes the Agreement for the Operation and Maintenance of the Indianapolis International Airport Facilities by and Between the Indianapolis Airport Authority, BAA Indianapolis LLC, and BAA USA Holdings, Inc.		
	REFERRED TO: Rules and Public Policy Committee	SPECIAL ORDINANCE	13
	APPROVED BY MAYOR: 09/01/1995	JOURNAL PAGE: 709	Adopted : 08/28/1995
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491	SPONSORED BY: Councillor Curry		
	DIGEST: elects to fund MECA in 1996 with COIT revenues		
	REFERRED TO: Rules and Public Policy Committee	SPECIAL ORDINANCE	14
	APPROVED BY MAYOR: 09/01/1995	JOURNAL PAGE: 749	Adopted : 08/28/1995
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492	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at Wallace Avenue and Walnut Street (District 15)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	130
	APPROVED BY MAYOR: 09/01/1995	JOURNAL PAGE: 750	Adopted : 08/28/1995
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493	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at Euclid Avenue and 15th Street (District 15)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	131
	APPROVED BY MAYOR: 09/01/1995	JOURNAL PAGE: 751	Adopted : 08/28/1995
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494	SPONSORED BY: Councillor Brents		
	DIGEST: authorizes parking for marked police vehicles only for the southside of Market Street from Alabama Street to Delaware Street (District 16)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	142
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE: 1008	Adopted : 10/16/1995
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1995 Proposal Index

495	SPONSORED BY: Councillor Jones		
	DIGEST: recognizes the 100th Anniversary of "The Indianapolis Recorder"		
	REFERRED TO: Whole Committee	SPECIAL RESOLUTION	68
	APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 565	Adopted :	08/01/1995
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496	SPONSORED BY: Councillor Rhodes		
	DIGEST: recognizes Mary A. "Dubbie" Buckler		
	REFERRED TO: Whole Committee	SPECIAL RESOLUTION	69
	APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 566	Adopted :	08/01/1995
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497	SPONSORED BY: Councillor Jimison		
	DIGEST: requests the city administration to conduct a feasibility study about placing an edu-care center in the City-County Building		
	REFERRED TO: Whole Committee	SPECIAL RESOLUTION	70
	APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 567	Adopted :	08/01/1995
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498	SPONSORED BY: Councillor Dowden		
	DIGEST: the annual budget for the Police Special Service District for 1996		
	REFERRED TO: Public Safety and Criminal Justice Committee	P.S.S.D.F.O.	4
	APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 827	Adopted :	09/25/1995
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499	SPONSORED BY: Councillor Dowden		
	DIGEST: the annual budget for the Fire Special Service District for 1996		
	REFERRED TO: Public Safety and Criminal Justice Committee	F.S.S.D.F.O.	1
	APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 832	Adopted :	09/25/1995
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500	SPONSORED BY: Councillor Coughenour		
	DIGEST: the annual budget for the Solid Waste Collection Special Service District for 1996		
	REFERRED TO: Public Works Committee	S.W.C.S.S.D.F.O.	3
	APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 837	Adopted :	09/25/1995
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501	SPONSORED BY: Councillor McClamroch		
	DIGEST: the annual budget for the Revenue Bonds Debt Service Funds for 1996		
	REFERRED TO: Administration and Finance Committee	FISCAL ORDINANCE	82
	APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 861	Adopted :	09/25/1995
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502	SPONSORED BY: Councillor O'Dell		
	DIGEST: the annual budget for the Marion County Office of Family and Children for 1996		
	REFERRED TO: Community Affairs Committee	FISCAL ORDINANCE	84
	APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 868	Adopted :	09/25/1995
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503	SPONSORED BY: Councillor McClamroch		
	DIGEST: the annual budget for the Metropolitan Emergency Communications Agency for 1996		
	REFERRED TO: Public Safety and Criminal Justice Committee	FISCAL ORDINANCE	85
	APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 878	Adopted :	09/25/1995

1995 Proposal Index

504	SPONSORED BY: Councillor McClamroch		
	DIGEST: the annual budget for Indianapolis and Marion County for 1996		
	REFERRED TO: Committee	FISCAL ORDINANCE	86
	APPROVED BY MAYOR: 09/28/1995	JOURNAL PAGE: 886	Adopted : 09/25/1995
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505	SPONSORED BY: Councillor Dowden		
	DIGEST: an appropriation of \$770,000 for the County Sheriff to proceed with the jail expansion in the east wing of the City-County Building financed from the County General Fund balances		
	REFERRED TO: Public Safety and Criminal Justice Committee	FISCAL ORDINANCE	81
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 625	Adopted : 08/28/1995
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506	SPONSORED BY: Councillor West		
	DIGEST: Rezoning Ordinance for Franklin Township, Councilmanic District 23, 5577 East Thompson Road (approximate address) (95-Z-65)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	107
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 571	Adopted : 07/19/1995
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507	SPONSORED BY: Councillor West		
	DIGEST: Rezoning Ordinance for Franklin Township, Councilmanic District 23, 5886 South Franklin Road (approximate address) (95-Z-28A)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	108
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 571	Adopted : 07/19/1995
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508	SPONSORED BY: Councillor West		
	DIGEST: Rezoning Ordinance for Franklin Township, Councilmanic District 23, 5606 South Franklin Road (approximate address) (95-Z-28B)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	109
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 571	Adopted : 07/19/1995
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509	SPONSORED BY: Councillor West		
	DIGEST: Rezoning Ordinance for Decatur Township, Councilmanic District 19, 5882 - 5514 West Hanna Avenue (approximate address) (95-Z-122)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	110
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 571	Adopted : 07/19/1995
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510	SPONSORED BY: Councillor West		
	DIGEST: Rezoning Ordinance for Warren Township, Councilmanic District 19, 1701 Mitthoefer Road (approximate address) (95-Z-80)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	111
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 571	Adopted : 07/19/1995
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511	SPONSORED BY: Councillor West		
	DIGEST: Rezoning Ordinance for Perry Township, Councilmanic District 20, 7218 U.S. Highway 31 South (approximate address) (95-Z-88)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	112
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 571	Adopted : 07/19/1995

1995 Proposal Index

512 SPONSORED BY: Councillor West

DIGEST: Rezoning Ordinance for Center Township, Councilmanic District 22, 1920, 1929 Columbia Avenue (approximate address) (95-Z-93)

REFERRED TO: Whole Committee

REZONING ORDINANCE 113

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 571

Adopted : 07/19/1995

513 SPONSORED BY: Councillor West

DIGEST: Rezoning Ordinance for Warren Township, Councilmanic District 13, 601 and 802 South Kitley Avenue (approximate address) (95-Z-104)

REFERRED TO: Whole Committee

REZONING ORDINANCE 114

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 572

Adopted : 07/19/1995

514 SPONSORED BY: Councillor Borst

DIGEST: authorizing the issuance of economic development water facilities revenue bonds in an aggregate principal amount not to exceed \$18 million for the Indianapolis Water Company

REFERRED TO: Economic Development Committee

SPECIAL ORDINANCE 10

APPROVED BY MAYOR: 09/01/1995

JOURNAL PAGE: 616

Adopted : 08/28/1995

515 SPONSORED BY: Councillor Schneider

DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District

REFERRED TO: Municipal Corporations Committee

GENERAL RESOLUTION 4

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 841

Adopted : 09/25/1995

516 SPONSORED BY: Councillor Schneider

DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Capital Improvement Board of Managers of Marion County

REFERRED TO: Municipal Corporations Committee

GENERAL RESOLUTION 5

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 844

Adopted : 09/25/1995

517 SPONSORED BY: Councillor Schneider

DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County

REFERRED TO: Municipal Corporations Committee

GENERAL RESOLUTION 6

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 848

Adopted : 09/25/1995

518 SPONSORED BY: Councillor Schneider

DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board

REFERRED TO: Municipal Corporations Committee

GENERAL RESOLUTION 7

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 853

Adopted : 09/25/1995

519 SPONSORED BY: Councillor Schneider

DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Public Transportation Corporation

REFERRED TO: Municipal Corporations Committee

GENERAL RESOLUTION 8

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 856

Adopted : 09/25/1995

1995 Proposal Index

520 SPONSORED BY: Councillor Rhodes

DIGEST: gives employees who are affected by the information technology outsourcing an additional opportunity to convert accrued sick leave to benefit leave and receive pay for it upon separation

REFERRED TO: Administration and Finance Committee

GENERAL ORDINANCE 182

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1067

Adopted : 10/30/1995

521 SPONSORED BY: Councillor Curry

DIGEST: an appropriation of \$666,000 for Information Services Agency to pay for increased contractual services, maintenance, and telephone expenses financed by a transfer of funds within the Information Services Internal Service Fund; and a reduction in its 1995 budget of \$260,000 due to reasons associated with the Huron project

REFERRED TO: Administration and Finance Committee

FISCAL ORDINANCE 83

APPROVED BY MAYOR: 09/15/1995 JOURNAL PAGE: 803

Adopted : 09/11/1995

522 SPONSORED BY: Councillor Giffin

DIGEST: an appropriation of \$150,000 for the Department of Parks and Recreation to purchase additional land for the expansion of Juan Solomon Park financed by revenues from the Park Land Fund

REFERRED TO: Parks and Recreation Committee

FISCAL ORDINANCE 90

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 982

Adopted : 10/16/1995

523 SPONSORED BY: Councillor Giffin

DIGEST: an appropriation of \$783,500 for the Department of Parks and Recreation to cover repair and renovation expenses at numerous park facilities financed by revenues from the Consolidated County Cumulative Capital Development Fund

REFERRED TO: Parks and Recreation Committee

FISCAL ORDINANCE 91

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 983

Adopted : 10/16/1995

524 SPONSORED BY: Councillor McClamroch

DIGEST: appoints Eli Bloom to the Indianapolis Greenways Development Committee

REFERRED TO: Parks and Recreation Committee

COUNCIL RESOLUTION 62

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 810

Adopted : 09/25/1995

525 SPONSORED BY: Councillor McClamroch

DIGEST: appoints Allan Kimball to the Indianapolis Greenways Development Board

REFERRED TO: Parks and Recreation Committee

COUNCIL RESOLUTION

APPROVED BY MAYOR: Not Req. JOURNAL PAGE:

Withdrawn : / /

526 SPONSORED BY: Councillor McClamroch

DIGEST: appoints Jerry Papenmeir to the Indianapolis Greenways Development Committee

REFERRED TO: Parks and Recreation Committee

COUNCIL RESOLUTION 63

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 810

Adopted : 09/25/1995

527 SPONSORED BY: Councillor Dowden

DIGEST: distributes \$489,942 of Uniform Traffic Ticket revenue to the Prosecutor, Sheriff, Presiding Judge of the Municipal Courts, and the Auditor

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 92

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 984

Adopted : 10/16/1995

1995 Proposal Index

528	SPONSORED BY: Councillor Dowden		
DIGEST: an appropriation of \$15,812 for the County Sheriff to pay overtime to officers assigned to the FBI Task Force Program financed by a FBI grant			
REFERRED TO: Public Safety and Criminal Justice Committee		FISCAL ORDINANCE	89
APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 967		Adopted : 09/25/1995	
529	SPONSORED BY: Councillor Moriarty Adams		
DIGEST: an appropriation of \$2,000 for the Superior Court, Criminal Division, Room One, to cover supplies and other court expenses financed by a transfer within the court's budget			
REFERRED TO: Public Safety and Criminal Justice Committee		FISCAL ORDINANCE	98
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 991		Adopted : 10/16/1995	
530	SPONSORED BY: Councillor Golc		
DIGEST: an appropriation of \$1,500 for the Marion County Drug Court to cover supply expenses financed by a transfer within the court's budget			
REFERRED TO: Public Safety and Criminal Justice Committee		FISCAL ORDINANCE	99
APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 992		Adopted : 10/16/1995	
531	SPONSORED BY: Councillor Gilmer		
DIGEST: empowering the Board of Capital Asset Management to promulgate rules and regulations concerning the administration of public construction contracts			
REFERRED TO: Capital Asset Management Committee		GENERAL ORDINANCE	217
APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1237		Adopted : 12/11/1995	
532	SPONSORED BY: Councillor Gilmer		
DIGEST: authorizes the Department of Capital Asset Management to permit Ogden Martin Systems to establish a steam line within the public right-of-way on Harding Street from 1000 feet south of Raymond Street to Kentucky Avenue			
REFERRED TO: Capital Asset Management Committee		GENERAL ORDINANCE	188
APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1079		Adopted : 10/30/1995	
533	SPONSORED BY: Councillors Coughenour, Smith		
DIGEST: authorizes a traffic signal at Shelbyville Road and Emerson Avenue (Districts 23, 24)			
REFERRED TO: Capital Asset Management Committee		GENERAL ORDINANCE	137
APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1005		Adopted : 10/16/1995	
534	SPONSORED BY: Councillor Golc		
DIGEST: authorizes a traffic signal for Lilly Technology Center West Driveway located at 1530 South at Harding Street (District 17)			
REFERRED TO: Capital Asset Management Committee		GENERAL ORDINANCE	138
APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1005		Adopted : 10/16/1995	
535	SPONSORED BY: Councillor Brents		
DIGEST: authorizes a traffic signal at St. Clair Street and Dr. Martin Luther King Jr. Street			
REFERRED TO: Capital Asset Management Committee		GENERAL ORDINANCE	139
APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1006		Adopted : 10/16/1995	

1995 Proposal Index

536	SPONSORED BY: Councillor Golc		
	DIGEST: authorizes a multi-way stop at Lyons Avenue and Ray Street (District 17)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	143
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1010	Adopted :	10/16/1995
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537	SPONSORED BY: Councillor Golc		
	DIGEST: authorizes a multi-way stop at Farnsworth Street and Lyons Avenue (District 17)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	144
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1010	Adopted :	10/16/1995
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538	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at 20th Street and Riley Avenue (District 15)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	145
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1011	Adopted :	10/16/1995
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539	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at Bosart Avenue and St. Clair Street (District 15)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	146
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1011	Adopted :	10/16/1995
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540	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at Irvington Avenue and 18th Street (District 15)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	147
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1012	Adopted :	10/16/1995
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541	SPONSORED BY: Councillor Rhodes		
	DIGEST: authorizes a multi-way stop at Carrollton Avenue and 62nd Street (District 7)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	148
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1012	Adopted :	10/16/1995
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542	SPONSORED BY: Councillor Rhodes		
	DIGEST: authorizes a multi-way stop at Burlington Avenue and Maple Drive (District 7)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	149
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1013	Adopted :	10/16/1995
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543	SPONSORED BY: Councillor Rhodes		
	DIGEST: authorizes a multi-way stop at 58th Street and Crestview Avenue (District 7)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	150
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1013	Adopted :	10/16/1995
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544	SPONSORED BY: Councillor Short		
	DIGEST: authorizes a multi-way stop at Villa Avenue and Woodlawn Avenue (District 21)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	151
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1014	Adopted :	10/16/1995

1995 Proposal Index

545	SPONSORED BY: Councillor Brents		
	DIGEST: authorizes a multi-way stop at Senate Avenue and Wilkins Street (District 16)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	152
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE: 1014	Adopted : 10/16/1995
546	SPONSORED BY: Councillor Gilmer		
	DIGEST: authorizes a multi-way stop at Diana Drive and Echo Lane (District 1)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	153
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE: 1015	Adopted : 10/16/1995
547	SPONSORED BY: Councillor Gilmer		
	DIGEST: authorizes intersection controls for Legendary Hills subdivision (District 1)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	154
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE: 1015	Adopted : 10/16/1995
548	SPONSORED BY: Councillor Gilmer		
	DIGEST: authorizes intersection controls for Hunters Green subdivision (District 1)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	155
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE: 1016	Adopted : 10/16/1995
549	SPONSORED BY: Councillor Giffin		
	DIGEST: authorizes intersection controls for the Pheasant Run subdivision (District 19)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	156
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE: 1016	Adopted : 10/16/1995
550	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a one-way southbound on Chester Avenue from New York Street to Washington Street (District 15)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	157
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE: 1017	Adopted : 10/16/1995
551	SPONSORED BY: Councillor Borst		
	DIGEST: authorizes weight limit restrictions for Lake Road from Wicker Road to a point 4,335 feet south of Southport Road (District 25)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	158
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE: 1017	Adopted : 10/16/1995
552	SPONSORED BY: Councillor Golc		
	DIGEST: authorizes speed restrictions on Rockville Road from Interstate 465 to Holt Road (District 17)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	179
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE: 1028	Adopted : 10/16/1995
553	SPONSORED BY: Councillor Coughenour		
	DIGEST: requires tobacco vendors to determine the age of any person to whom tobacco products are sold or delivered		
	REFERRED TO: Rules and Public Policy Committee	GENERAL ORDINANCE	
	APPROVED BY MAYOR: / /	JOURNAL PAGE:	No Action Taken In '95 : / /

1995 Proposal Index

554 SPONSORED BY: Councillors Hinkle, Shambaugh, O'Dell
DIGEST: recognizes the 25 years of city service by Gary Isterling
REFERRED TO: Whole Committee SPECIAL RESOLUTION 72
APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 600 Adopted : 08/28/1995

555 SPONSORED BY: Councillor Short
DIGEST: recognizes the South East Community Organization
REFERRED TO: Whole Committee SPECIAL RESOLUTION 73
APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 601 Adopted : 08/28/1995

556 SPONSORED BY: Councillor SerVaas
DIGEST: urges the completion of I-69 from Indianapolis to Texas
REFERRED TO: Whole Committee SPECIAL RESOLUTION 74
APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 602 Adopted : 08/28/1995

557 SPONSORED BY: Councillor Curry
DIGEST: urges full membership of the Republic of China (Taiwan) by the United Nations
REFERRED TO: Whole Committee SPECIAL RESOLUTION 75
APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 603 Adopted : 08/28/1995

558 SPONSORED BY: Councillor Beadling
DIGEST: recognizes the 75th Anniversary of the Women's Suffrage Amendment
REFERRED TO: Whole Committee SPECIAL RESOLUTION 76
APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 604 Adopted : 08/28/1995

559 SPONSORED BY: Councillor Dowden
DIGEST: confirms the Marion County Public Defender Board's nomination of David Cook as Marion County Chief Public Defender
REFERRED TO: Public Safety and Criminal Justice Committee COUNCIL RESOLUTION 70
APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1040 Adopted : 10/30/1995

560 SPONSORED BY: Councillor Curry
DIGEST: affirms the policy of providing deferred compensation for county elected officials
REFERRED TO: Rules and Public Policy Committee COUNCIL RESOLUTION 61
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 804 Adopted : 09/11/1995

561 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 6950 North Michigan Road (approximate address)(95-Z-45)(Amended)
REFERRED TO: Whole Committee REZONING ORDINANCE 116
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 610 Adopted : 08/28/1995

562 SPONSORED BY: Councillor West
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 9, 5891 West 56th Street(approximate address)(95-Z-79)
REFERRED TO: Whole Committee REZONING ORDINANCE 117
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 610 Adopted : 08/28/1995

1995 Proposal Index

563	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 8004 Brookville Road (approximate address)(95-Z-81)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	118
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 610	Adopted : 08/28/1995
564	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 14, 10304 East 38th St.(approximate address)(95-Z-103)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	119
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 610	Adopted : 08/28/1995
565	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 3045 North Arlington Avenue(approximate address)(95-Z-94 Amended)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	120
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 611	Adopted : 08/28/1995
566	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 11288 East 63rd Street,(approximate address)(95-Z-95)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	121
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 611	Adopted : 08/28/1995
567	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 14, 9003 East 46th Street(approximate address)(95-Z-101)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	122
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 611	Adopted : 08/28/1995
568	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 3939 East Stop 11 Road (approximate address)(95-Z-102)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	123
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 611	Adopted : 08/28/1995
569	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 5, 3550 North Mitthoefer Road (Rear) (Approximate Address)(95-Z-111 Amended)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	124
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 611	Adopted : 08/28/1995
570	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 7801 McFarland Road (Approximate Address)(95-Z-112)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	125
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 611	Adopted : 08/28/1995

1995 Proposal Index

571 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 8277 Craig Street (Approximate Address)(95-Z-114)

REFERRED TO: Whole Committee

REZONING ORDINANCE 126

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 611

Adopted : 08/28/1995

572 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 17, 1532 West Washington Street (approximate address)(95-Z-115)

REFERRED TO: Whole Committee

REZONING ORDINANCE 127

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 611

Adopted : 08/28/1995

573 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 955-985 Indiana Avenue (approximate address) (95-Z-118)

REFERRED TO: Whole Committee

REZONING ORDINANCE 128

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 611

Adopted : 08/28/1995

574 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 8377 East 96th Street (approximate address) (95-Z-54)

REFERRED TO: Whole Committee

REZONING ORDINANCE 136

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 759

Adopted : 09/11/1995

575 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 9589 Hague Road (approximate Address) (95-Z-55)

REFERRED TO: Whole Committee

REZONING ORDINANCE 137

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 759

Adopted : 09/11/1995

576 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 8330 Crawfordsville Road (approximate address)(95-Z-74 Amended)

REFERRED TO: Whole Committee

REZONING ORDINANCE 129

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 612

Adopted : 08/28/1995

577 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 8350 Crawfordsville Road (approximate address)(95-Z-75 Amended)

REFERRED TO: Whole Committee

REZONING ORDINANCE 130

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 612

Adopted : 08/28/1995

578 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 6715 East Washington Street (approximate address)(95-Z-106)

REFERRED TO: Whole Committee

REZONING ORDINANCE 131

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 613

Adopted : 08/28/1995

1995 Proposal Index

579 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 3816-3820 East Washington Street (approximate address) (95-Z-120)

REFERRED TO: Whole Committee

REZONING ORDINANCE 132

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 613

Adopted : 08/28/1995

580 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 618 and 622 South Meridian Street (approximate address)(95-Z-123)

REFERRED TO: Whole Committee

REZONING ORDINANCE 133

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 613

Adopted : 08/28/1995

581 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District 2, 1025 West 64 Street (approximate address) (95-Z-125)

REFERRED TO: Whole Committee

REZONING ORDINANCE 134

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 613

Adopted : 08/28/1995

582 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 620 South Capitol Avenue (approximate address)(95-Z-127)

REFERRED TO: Whole Committee

REZONING ORDINANCE 135

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 613

Adopted : 08/28/1995

583 SPONSORED BY: Councillor Borst

DIGEST: approves a lease between the Department of Metropolitan Development and the Murat Temple Association, Inc.

REFERRED TO: Economic Development Committee

SPECIAL ORDINANCE

APPROVED BY MAYOR: / /

JOURNAL PAGE:

No Action Taken In '95 : / /

584 SPONSORED BY: Councillor O'Dell

DIGEST: an appropriation of \$3,401,732 for the Marion County Office of Family and Children to pay the expenses of the wards in institutions financed by revenues from the Family and Children Fund

REFERRED TO: Community Affairs Committee

FISCAL ORDINANCE 93

APPROVED BY MAYOR: 10/20/1995

JOURNAL PAGE: 986

Adopted : 10/16/1995

585 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation transferring \$35,500 to the correct character in the State and Federal Grants Fund for the Prosecuting Attorney to pay necessary expenses associated with the Governor's Council on Impaired and Dangerous Driving

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 100

APPROVED BY MAYOR: 10/20/1995

JOURNAL PAGE: 993

Adopted : 10/16/1995

586 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$39,725 for the Marion County Public Defender Agency to continue a project that assists with expediting cases and alleviating jail overcrowding financed by revenues from a federal grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 94

APPROVED BY MAYOR: 10/20/1995

JOURNAL PAGE: 987

Adopted : 10/16/1995

1995 Proposal Index

587	SPONSORED BY: Councillor Coughenour		
DIGEST:	moves responsibility for management of abandoned vehicles from the Department of Public Works, Solid Waste Management Division, to the Contract Compliance Division		
REFERRED TO:	Public Works Committee	GENERAL ORDINANCE	134
APPROVED BY MAYOR:	10/20/1995	JOURNAL PAGE:	994
		Adopted :	10/16/1995
588	SPONSORED BY: Councillor McClamroch		
DIGEST:	approves the Mayor's appointment of Irma J. Neal as Deputy Mayor of Neighborhoods of the City of Indianapolis		
REFERRED TO:	Rules and Public Policy Committee	COUNCIL RESOLUTION	64
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	811
		Adopted :	09/25/1995
589	SPONSORED BY: Councillor Gilmer		
DIGEST:	clarifies that the Board of Capital Asset Management has authority over sanitary sewer construction permits		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	185
APPROVED BY MAYOR:	11/03/1995	JOURNAL PAGE:	1075
		Adopted :	10/30/1995
590	SPONSORED BY: Councillors Shambaugh, Gray		
DIGEST:	authorizes a traffic signal for Kevin Way and 38th Street (Districts 8, 9)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	140
APPROVED BY MAYOR:	10/20/1995	JOURNAL PAGE:	1006
		Adopted :	10/16/1995
591	SPONSORED BY: Councillors Gray, Shambaugh		
DIGEST:	authorizes a traffic signal at Falcon Drive and 34th Street (Districts 8, 9)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	1244
		Stricken :	12/11/1995
592	SPONSORED BY: Councillor Tilford		
DIGEST:	authorizes stop signs for Maple Creek Country Club Estates subdivision (District 12)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	159
APPROVED BY MAYOR:	10/20/1995	JOURNAL PAGE:	1018
		Adopted :	10/16/1995
593	SPONSORED BY: Councillor Williams		
DIGEST:	authorizes multi-way stops for the subdivision of Fall Creek Proper, Citizens Place (District 22)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	160
APPROVED BY MAYOR:	10/20/1995	JOURNAL PAGE:	1018
		Adopted :	10/16/1995
594	SPONSORED BY: Councillor Hinkle		
DIGEST:	authorizes stop signs for Country Pointe subdivision (District 18)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	161
APPROVED BY MAYOR:	10/20/1995	JOURNAL PAGE:	1019
		Adopted :	10/16/1995
595	SPONSORED BY: Councillor Hinkle		
DIGEST:	authorizes multi-way stops for Sunningdale Boulevard and Country Club Road (District 18)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	189
APPROVED BY MAYOR:	11/03/1995	JOURNAL PAGE:	1079
		Adopted :	10/30/1995

1995 Proposal Index

596	SPONSORED BY: Councillor Coughenour		
	DIGEST: authorizes stop signs for Gray Road and Stone Mill Drive, and for Stone Mill Drive and Linwood Avenue located in the Stone Mill and Gray Hollow subdivisions (District 24)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	162
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE: 1019	Adopted : 10/16/1995
597	SPONSORED BY: Councillor O'Dell		
	DIGEST: authorizes a multi-way stop at Butler Avenue and Julian Avenue (District 13)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	163
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE: 1020	Adopted : 10/16/1995
598	SPONSORED BY: Councillor Brents		
	DIGEST: authorizes a multi-way stop at 18th Street and Alton Avenue (District 16)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	164
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE: 1020	Adopted : 10/16/1995
599	SPONSORED BY: Councillor Rhodes		
	DIGEST: authorizes a multi-way stop at 58th Street and Guilford Avenue (District 7)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	165
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE: 1021	Adopted : 10/16/1995
600	SPONSORED BY: Councillors Boyd, Jones, Schneider		
	DIGEST: authorizes changes in the speed limit for Keystone Avenue from I-70 to I-465 (Districts 3, 6, 7, 10, 11)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	190
	APPROVED BY MAYOR: 11/03/1995	JOURNAL PAGE: 1080	Adopted : 10/30/1995
601	SPONSORED BY: Councillors Mullin, Borst, Coughenour		
	DIGEST: recognizes the Bible Bowl Team of Southport Heights Christian Church		
	REFERRED TO: Whole Committee	SPECIAL RESOLUTION	79
	APPROVED BY MAYOR: 09/15/1995	JOURNAL PAGE: 756	Adopted : 09/11/1995
602	SPONSORED BY: Councillors Boyd, Gray, Jones		
	DIGEST: instructs the Municipal Corporations Committee of the Indianapolis City-County Council to conduct an information sharing meeting concerning the Indianapolis Metro system		
	REFERRED TO: Whole Committee	COUNCIL RESOLUTION	59
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 760	Adopted : 09/11/1995
603	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 956 North Gibson Street (approximate address) (95-Z-62)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	138
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 763	Adopted : 09/11/1995

1995 Proposal Index

604	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 5102 Stanley Road (approximate address) (95-Z-64)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	139
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 763	Adopted : 09/11/1995
605	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 5, 11550 East 30th Street (approximate address) (95-Z-100)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	140
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 764	Adopted : 09/11/1995
606	SPONSORED BY: Councillor		
	DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 6282 West 21st Street (approximate address) (95-Z-113)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	141
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 764	Adopted : 09/11/1995
607	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 5607 West 86 Street (approximate address) (95-Z-119)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	142
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 764	Adopted : 09/11/1995
608	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 9, 517 West 30th Street (approximate address) (95-Z-121)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	143
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 764	Adopted : 09/11/1995
609	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 2415 West Thompson Road (approximate address) (95-Z-132)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	144
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 764	Adopted : 09/11/1995
610	SPONSORED BY: Councillor Borst		
	DIGEST: amends S.R. No. 45, 1994, as amended, by extending the expiration date for Brulin & Company, Inc. through April 30, 1996 at 2920 Dr. Andrew J. Brown Avenue (District 22)		
	REFERRED TO: Economic Development Committee	SPECIAL RESOLUTION	81
	APPROVED BY MAYOR: 09/28/1995	JOURNAL PAGE: 816	Adopted : 09/25/1995
611	SPONSORED BY: Councillor Borst		
	DIGEST: amends S.R. No. 23, 1995, by extending the expiration date for El-Beulah Retirement Village, Inc. through April 30, 1996 at 7606 East 82nd Street (District 4)		
	REFERRED TO: Economic Development Committee	SPECIAL RESOLUTION	82
	APPROVED BY MAYOR: 09/28/1995	JOURNAL PAGE: 817	Adopted : 09/25/1995

1995 Proposal Index

612 SPONSORED BY: Councillor Borst

DIGEST: authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$19,000,000 for the Children's Museum of Indianapolis, Incorporated at 3000 North Meridian Street (District 9)

REFERRED TO: Economic Development Committee

SPECIAL ORDINANCE 15

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 818

Adopted : 09/25/1995

613 SPONSORED BY: Councillor Borst

DIGEST: an inducement resolution for Nottingham Housing Partners, Ltd. in an amount not to exceed \$19,900,000 to proceed with the acquisition, renovation and equipping of the existing 264 unit multi-family residential rental facility plus the construction of an additional 288 multi-family residential rental units located at 9300 East 21st Street (District 12)

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 83

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 821

Adopted : 09/25/1995

614 SPONSORED BY: Councillor Borst

DIGEST: authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$6,600,000 for Sutton Place Apartments at 9350 East 43rd Street (District 14)

REFERRED TO: Economic Development Committee

SPECIAL ORDINANCE 16

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 823

Adopted : 09/25/1995

615 SPONSORED BY: Councillor Rhodes

DIGEST: licensure of public pay telephones

REFERRED TO: Administration and Finance Committee

GENERAL ORDINANCE 135

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 997

Adopted : 10/16/1995

616 SPONSORED BY: Councillor Giffin

DIGEST: an appropriation of \$72,000 for the Department of Parks and Recreation, Golf Division, to pay for security fencing around the perimeter of the Coffin Golf Course financed by revenues from the Park General/Golf Fund

REFERRED TO: Parks and Recreation Committee

FISCAL ORDINANCE 123

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1111

Adopted : 11/20/1995

617 SPONSORED BY: Councillor McClamroch

DIGEST: appoints Walter Blackburn to the Indianapolis Greenways Development Committee

REFERRED TO: Parks and Recreation Committee

COUNCIL RESOLUTION 67

APPROVED BY MAYOR: 11/03/1996 JOURNAL PAGE: 1038

Adopted : 10/30/1995

618 SPONSORED BY: Councillor McClamroch

DIGEST: appoints Katherine A. Price to the Indianapolis Greenways Development Committee

REFERRED TO: Parks and Recreation Committee

COUNCIL RESOLUTION 68

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1039

Adopted : 10/30/1995

619 SPONSORED BY: Councillor McClamroch

DIGEST: appoints Robert Weddle to the Indianapolis Greenways Development Committee

REFERRED TO: Parks and Recreation Committee

COUNCIL RESOLUTION 69

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1039

Adopted : 10/30/1995

1995 Proposal Index

620	SPONSORED BY: Councillor West		
DIGEST: an appropriation of \$100,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to pay for the digitizing of zoning maps financed by revenues from the Metropolitan Development General Fund			
REFERRED TO: Metropolitan Development Committee		FISCAL ORDINANCE	106
APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1049		Adopted : 10/30/1995	
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621	SPONSORED BY: Councillor Dowden		
DIGEST: an appropriation of \$6,974 for Superior Court, Criminal Division, Room Two, to pay court employees overtime in death penalty cases with sequestered jurors financed from County General Fund balances			
REFERRED TO: Public Safety and Criminal Justice Committee		FISCAL ORDINANCE	107
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1050		Adopted : 10/30/1995	
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622	SPONSORED BY: Councillor Dowden		
DIGEST: an appropriation of \$328,000 for the Prosecuting Attorney, County Sheriff, and the County Auditor to continue the comprehensive traffic safety program financed by a federal grant			
REFERRED TO: Public Safety and Criminal Justice Committee		FISCAL ORDINANCE	95
APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 988		Adopted : 10/16/1995	
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623	SPONSORED BY: Councillor Dowden		
DIGEST: an appropriation of \$23,171 for the County Sheriff and County Auditor to continue the Child Abuse Intervention Program financed by a federal grant			
REFERRED TO: Public Safety and Criminal Justice Committee		FISCAL ORDINANCE	96
APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 989		Adopted : 10/16/1995	
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624	SPONSORED BY: Councillor Dowden		
DIGEST: an appropriation of \$47,240 for the County Sheriff and County Auditor to continue the Victim Assistance Program financed by a state grant			
REFERRED TO: Public Safety and Criminal Justice Committee		FISCAL ORDINANCE	97
APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 990		Adopted : 10/16/1995	
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625	SPONSORED BY: Councillor Dowden		
DIGEST: an appropriation of \$272,850 for the County Sheriff to pay increased per diem cost and utilization of the Riverside Residential Center financed by revenues reserved for jail expansion in the County General Fund			
REFERRED TO: Public Safety and Criminal Justice Committee		FISCAL ORDINANCE	108
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1051		Adopted : 10/30/1995	
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626	SPONSORED BY: Councillor Dowden		
DIGEST: an appropriation of \$24,272 for Community Corrections to pay for five additional officers needed to staff Community Corrections Annex financed by revenues reserved for jail expansion in the County General Fund			
REFERRED TO: Public Safety and Criminal Justice Committee		FISCAL ORDINANCE	109
APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1052		Adopted : 10/30/1995	
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1995 Proposal Index

627 SPONSORED BY: Councillor Borst

DIGEST: an appropriation of \$40,000 for the Forensic Services Agency to cover additional supplies and training expenditures for the Abu Dhabi police officers financed by a transfer within the agency's County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 101

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 999

Adopted : 10/16/1995

628 SPONSORED BY: Councillor Coughenour

DIGEST: an appropriation of \$80,000 for the Department of Public Works, Administration Division, to cover shortfalls in Personal Services financed by a transfer within the division's Consolidated County Fund

REFERRED TO: Public Works Committee

FISCAL ORDINANCE 102

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1000

Adopted : 10/16/1995

629 SPONSORED BY: Councillor Coughenour

DIGEST: an appropriation of \$1,256,757 for the Department of Public Works, Contract Compliance Division, to fund additional expenses relating to the operation of the Advanced Wastewater Treatment facilities financed by transfers from the Sanitation General Fund, Flood General Fund, and the Transportation General Fund

REFERRED TO: Public Works Committee

FISCAL ORDINANCE 103

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1000

Adopted : 10/16/1995

630 SPONSORED BY: Councillor Coughenour

DIGEST: an appropriation of \$1,250,000 for the Department of Public Works, Maintenance Operations Division, to fund Personal Services shortfalls financed by a transfer within the division's Maintenance Operations General Fund

REFERRED TO: Public Works Committee

FISCAL ORDINANCE 110

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1053

Adopted : 10/30/1995

631 SPONSORED BY: Councillor Coughenour

DIGEST: an appropriation reducing by \$3,458,000 the budget of the Department of Public Works, Solid Waste Management Division, from the Solid Waste Disposal Fund

REFERRED TO: Public Works Committee

FISCAL ORDINANCE 104

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1001

Adopted : 10/16/1995

632 SPONSORED BY: Councillor Coughenour

DIGEST: an appropriation of \$275,000 for the Department of Public Works, Solid Waste Management Division, to fund overtime for the fall leaf program financed by a transfer within the division's Solid Waste Collection Fund

REFERRED TO: Public Works Committee

S.W.C.S.S.D.F.O. 4

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1002

Adopted : 10/16/1995

633 SPONSORED BY: Councillor Curry

DIGEST: approves the issuance of Redevelopment District General Obligation Bonds not to exceed \$3,040,000

REFERRED TO: Rules and Public Policy Committee

GENERAL RESOLUTION 10

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1112

Adopted : 11/20/1995

634 SPONSORED BY: Councillor Curry

DIGEST: approves the issuance of Flood Control District General Obligation Bonds not to exceed \$2,060,000

REFERRED TO: Rules and Public Policy Committee

GENERAL RESOLUTION 11

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1114

Adopted : 11/20/1995

1995 Proposal Index

635	SPONSORED BY: Councillor Curry		
DIGEST:	approves the issuance of Sanitary District General Obligations Bonds not to exceed \$5,875,000		
REFERRED TO:	Rules and Public Policy Committee	GENERAL RESOLUTION	12
APPROVED BY MAYOR:	11/28/1995	JOURNAL PAGE:	1116
		Adopted :	11/12/1995
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636	SPONSORED BY: Councillor Curry		
DIGEST:	approves the issuance of Sanitary District Refunding Bonds not to exceed \$33,500,000		
REFERRED TO:	Rules and Public Policy Committee	GENERAL RESOLUTION	13
APPROVED BY MAYOR:	11/28/1995	JOURNAL PAGE:	1120
		Adopted :	11/20/1995
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637	SPONSORED BY: Councillor McClamroch		
DIGEST:	instructs the Department of Capital Asset Management to conduct an on-street parking needs study on Indiana Avenue		
REFERRED TO:	Capital Asset Management Committee	SPECIAL RESOLUTION	
APPROVED BY MAYOR:	/ /	JOURNAL PAGE:	No Action Taken In '95 : / /
<hr/>			
638	SPONSORED BY: Councillors Hinkle, Giffin		
DIGEST:	authorizes a traffic signal at Morris Street and Sigsbee Street (Districts 18, 19)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	141
APPROVED BY MAYOR:	10/20/1995	JOURNAL PAGE:	1011
		Adopted :	10/16/1995
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639	SPONSORED BY: Councillor Jones		
DIGEST:	authorizes a stop sign at 29th Street and Wheeler Street (District 10)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	166
APPROVED BY MAYOR:	10/20/1995	JOURNAL PAGE:	1011
		Adopted :	10/16/1995
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640	SPONSORED BY: Councillor Moriarty Adams		
DIGEST:	authorizes a multi-way stop at 9th Street and Dequincy Street (District 15)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	167
APPROVED BY MAYOR:	10/20/1995	JOURNAL PAGE:	1021
		Adopted :	10/16/1995
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641	SPONSORED BY: Councillor Golc		
DIGEST:	authorizes a multi-way stop at 12th Street and Rochester Avenue (District 17)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	168
APPROVED BY MAYOR:	10/20/1995	JOURNAL PAGE:	1022
		Adopted :	10/16/1995
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642	SPONSORED BY: Councillor Brents		
DIGEST:	authorizes a multi-way stop at 12th Street and Sharon Avenue (District 16)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	169
APPROVED BY MAYOR:	10/20/1995	JOURNAL PAGE:	1022
		Adopted :	10/16/1995
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643	SPONSORED BY: Councillor Short		
DIGEST:	authorizes a multi-way stop at Bradbury Avenue and Walker Avenue (District 21)		
REFERRED TO:	Capital Asset Management Committee	GENERAL ORDINANCE	170
APPROVED BY MAYOR:	10/20/1995	JOURNAL PAGE:	1023
		Adopted :	10/16/1995

1995 Proposal Index

644	SPONSORED BY: Councillor Giffin		
	DIGEST: authorizes a multi-way stop at Porter Street and Conaroe Street (District 19)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	171
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1023	Adopted :	10/16/1995
645	SPONSORED BY: Councillor Schneider		
	DIGEST: authorizes a multi-way stop at Naab Road and Dugan Drive (District 3)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	172
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1024	Adopted :	10/16/1995
646	SPONSORED BY: Councillor Gilmer		
	DIGEST: authorizes multi-way stops at Gateway Drive and Vinewood Avenue, and at Gateway Drive and Westhaven Drive (District 1)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	173
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1024	Adopted :	10/16/1995
647	SPONSORED BY: Councillor Borst		
	DIGEST: authorizes a multi-way stop at Stop 11 Road and Railroad Road (District 25)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	174
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1025	Adopted :	10/16/1995
648	SPONSORED BY: Councillor Golc		
	DIGEST: authorizes a multi-way stop at Lyons Avenue and Farnsworth Street (District 17)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	175
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1026	Adopted :	10/16/1995
649	SPONSORED BY: Councillor Jimison		
	DIGEST: authorizes a multi-way stop at Meadowlark Drive and Sheridan Avenue (District 14)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	176
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1026	Adopted :	10/16/1995
650	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at Drexel Avenue and Stratford Avenue (District 15)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	177
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1027	Adopted :	10/16/1995
651	SPONSORED BY: Councillor Boyd		
	DIGEST: authorizes a multi-way stop at Millersville Road and Olney Street (District 11)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	
	APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1244	Stricken :	12/11/1995
652	SPONSORED BY: Councillor Brents		
	DIGEST: authorizes one-way traffic flow southbound on McCrea Street from Georgia Street to Louisiana Street (District 16)		
	REFERRED TO: Capital Asset Management Committee	GENERAL ORDINANCE	178
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1027	Adopted :	10/16/1995

1995 Proposal Index

653	SPONSORED BY: Councillor Gray		
DIGEST: recognizes the Marian College national champion track cycling team			
REFERRED TO: Whole Committee		SPECIAL RESOLUTION 80	
APPROVED BY MAYOR: 09/28/1995		JOURNAL PAGE: 810	Adopted : 09/25/1995
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654	SPONSORED BY: Councillor McClamroch		
DIGEST: establishes a county general fund emergency reserve account			
REFERRED TO: Rules and Public Policy Committee		GENERAL ORDINANCE 136	
APPROVED BY MAYOR: 10/20/1995		JOURNAL PAGE: 1003	Adopted : 10/16/1995
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655	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 8926 Shelby Street (approximate address) (95-Z-50)			
REFERRED TO: Whole Committee		REZONING ORDINANCE 145	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 825	Adopted : 09/25/1995
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656	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 5901 East Thompson Road (approximate address) (95-Z-110)			
REFERRED TO: Whole Committee		REZONING ORDINANCE 146	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 825	Adopted : 09/25/1995
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657	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 4014 W. Washington Street (approximate address) (95-Z-117)			
REFERRED TO: Whole Committee		REZONING ORDINANCE 147	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 825	Adopted : 09/25/1995
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658	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 373 S. Illinois Street (approximate address) (95-z-122)			
REFERRED TO: Municipal Corporations Committee		REZONING ORDINANCE 148	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 825	Adopted : 09/25/1995
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659	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 1280 W. Thompson Road, (approximate address) (95-z-133)			
REFERRED TO: Whole Committee		REZONING ORDINANCE 149	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 825	Adopted : 09/25/1995
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660	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 131 and 145 East Fall Creek Parkway South Drive, (approximate address) (95-z-136)			
REFERRED TO: Whole Committee		REZONING ORDINANCE 150	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 825	Adopted : 09/25/1995
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1995 Proposal Index

661 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 5515 Bluff Road (approximate address) (95-z-137)

REFERRED TO: Whole Committee

REZONING ORDINANCE 151

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 826

Adopted : 09/25/1995

662 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 4502 South Harding Street (approximate address) (95-z-141)

REFERRED TO: Whole Committee

REZONING ORDINANCE 152

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 826

Adopted : 09/25/1995

663 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 3520 Mann Road (approximate address) (95-z-142)

REFERRED TO: Whole Committee

REZONING ORDINANCE 153

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 826

Adopted : 09/25/1995

664 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 2210 W. Southport Road (approximate address) (95-z-144)

REFERRED TO: Whole Committee

REZONING ORDINANCE 154

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 826

Adopted : 09/25/1995

665 SPONSORED BY: Councillor West

DIGEST: amends the Comprehensive Zoning Maps of Marion County by updating base maps #1, #3, #19, and #32

REFERRED TO: Metropolitan Development Committee

GENERAL ORDINANCE 183

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1068

Adopted : 10/30/1995

666 SPONSORED BY: Councillor Rhodes

DIGEST: provides for the continuation of an early retirement incentive plan for certain City employees as negotiated with AFSCME

REFERRED TO: Administration and Finance Committee

GENERAL ORDINANCE 184

APPROVED BY MAYOR: 11/03/1995

JOURNAL PAGE: 1070

Adopted : 10/30/1995

667 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation of \$40,000 for the County Assessor to cover purchase of computer equipment financed by transfers within the agency's Property Reassessment Fund

REFERRED TO: Administration and Finance Committee

FISCAL ORDINANCE 120

APPROVED BY MAYOR: 11/03/1995

JOURNAL PAGE: 1071

Adopted : 10/30/1995

668 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation transferring \$11,520 for additional and originally anticipated expenditures, including GIS equipment upgrades and replacements, for the Washington Township Assessor financed by transfers within the assessor's Property Reassessment Fund

REFERRED TO: Administration and Finance Committee

FISCAL ORDINANCE 121

APPROVED BY MAYOR: 11/03/1995

JOURNAL PAGE: 1072

Adopted : 10/30/1995

1995 Proposal Index

669 SPONSORED BY: Councillor West

DIGEST: an appropriation of \$99,500 for the Department of Metropolitan Development, Planning Division, to transfer a federal grant for the Naval Air Warfare Center from contractual to internally operated within the department's Metropolitan Development General Fund

REFERRED TO: Metropolitan Development Committee

FISCAL ORDINANCE 122

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1073

Adopted : 10/30/1995

670 SPONSORED BY: Councillor Curry

DIGEST: establishes the Metropolitan Emergency Communications Agency General Fund as a special, nonreverting fund

REFERRED TO: Public Safety and Criminal Justice Committee

GENERAL ORDINANCE 181

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1061

Adopted : 10/30/1995

671 SPONSORED BY: Councillor Dowden

DIGEST: amends the schedule of compensation for County employees to allow the Chief Public Defender to be paid a salary equal to 90% of the total salary of the Marion County Prosecutor

REFERRED TO: Public Safety and Criminal Justice Committee

GENERAL RESOLUTION 9

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1062

Adopted : 10/30/1995

672 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$30,000 for the Department of Public Safety, Police Division, acting as a intermediary agent, to expand the Indianapolis Police Athletic League's community policing youth activities financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

P.S.S.D.F.O. 5

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1086

Adopted : 10/30/1995

673 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$6,209,223 for the County Auditor to pay the County's obligation to the Indiana Boys School financed from the County General Fund balances

REFERRED TO: Rules and Public Policy Committee

FISCAL ORDINANCE 124

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1121

Adopted : 11/20/1995

674 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$4,400 for the Superior Court, Criminal Division, Room Six, to cover supply, phone, and computer expenses financed by a transfer of funds within the court's County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 116

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1064

Adopted : 10/30/1995

675 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$4,000 for the Superior Court, Criminal Division, Probation Department, to cover copying and telephone expenses financed by a transfer of funds within the department's County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 117

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1065

Adopted : 10/30/1995

1995 Proposal Index

676 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$20,357 for the Prosecuting Attorney to purchase audio/visual equipment to be used in child abuse cases financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 125

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1122

Adopted : 11/20/1995

677 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$90,000 for the Prosecuting Attorney to continue a study of alternative sentences for impaired drivers financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 111

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1054

Adopted : 10/30/1995

678 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$482,620 for the Marion County Public Defender Agency to cover unanticipated and unbudgeted expenses financed by transfers of \$7,580 within the agency's budget and by an appropriation of \$475,040 from the County General Fund balances

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 112

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1057

Adopted : 10/30/1995

679 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$39,724 for the Marion County Public Defender Agency to continue the Pretrial Release and Sentencing Project financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 113

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1058

Adopted : 10/30/1995

680 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$186,150 for the Community Corrections Agency to pay for 30 additional beds in the agency's work release and residential facilities financed by state and federal grants

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 114

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1059

Adopted : 10/30/1995

681 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$60,000 for the Community Corrections Agency to pay for additional home detention equipment and vehicles financed by state and federal grants

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 115

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1060

Adopted : 10/30/1995

682 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$350,259 for the Community Corrections Agency to pay for home detention personnel, equipment, and supply expenses financed by revenues from the Home Detention User Fee Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 126

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1123

Adopted : 11/20/1995

683 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation transferring \$20,210 within the Community Corrections Agency's County General Fund budget to reflect the proper character classification of maintenance agreements

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 118

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1065

Adopted : 10/30/1995

1995 Proposal Index

684 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$2,500 for the Department of Public Safety, Weights and Measures Division, to purchase a computer financed by a transfer within the division's Consolidated County Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 119

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1066

Adopted : 10/30/1995

685 SPONSORED BY: Councillor Black

DIGEST: authorizes a traffic signal at 46th Street and Indianola Avenue (District 6)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE

APPROVED BY MAYOR: / /

JOURNAL PAGE:

No Action Taken In '95 : / /

686 SPONSORED BY: Councillor Gilmer

DIGEST: authorizes a traffic signal at 79th Street and Payne Road (District 1)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 191

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1081

Adopted : 10/30/1995

687 SPONSORED BY: Councillor Gilmer

DIGEST: authorizes multi-way stops for the intersections located in the subdivision of Coopers Pointe Sections 1 and 2 (District 1)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 192

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1081

Adopted : 10/30/1995

688 SPONSORED BY: Councillor Jones

DIGEST: authorizes a multi-way stop at Brookside Parkway North Drive and Olney Street (District 10)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 193

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1082

Adopted : 10/30/1995

689 SPONSORED BY: Councillor Williams

DIGEST: authorizes a multi-way stop at 26th Street and Boulevard Place (District 22)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 194

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1082

Adopted : 10/30/1995

690 SPONSORED BY: Councillor Brents

DIGEST: authorizes a stop sign at Talbott Street and Michigan Street (District 16)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 195

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1083

Adopted : 10/30/1995

691 SPONSORED BY: Councillor Beadling

DIGEST: authorizes a multi-way stop at Cresent Court and LaHabra Lane (District 5)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 196

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1083

Adopted : 10/30/1995

692 SPONSORED BY: Councillor Black

DIGEST: authorizes a multi-way stop at Buckingham Drive and Cornelius Avenue (District 6)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 197

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1084

Adopted : 10/30/1995

1995 Proposal Index

693 SPONSORED BY: Councillor Rhodes

DIGEST: authorizes a multi-way stop at Riverview Drive and 61st Street (District 7)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 198

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1084

Adopted : 10/30/1995

694 SPONSORED BY: Councillor Borst

DIGEST: authorizes parking restrictions on Thompson Road from State Road 37 to a point 2,000 feet west of State Road 37 (District 25)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 199

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1085

Adopted : 10/30/1995

695 SPONSORED BY: Councillor Brents

DIGEST: authorizes no parking restrictions on Meridian Street on the west side from Merrill Street to a point 100 feet south of Merrill Street (District 16)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 200

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1085

Adopted : 10/30/1995

696 SPONSORED BY: Councillor Brents

DIGEST: authorizes 55 degree parking on Washington Street on the south side from Alabama Street to Delaware Street (District 16)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 186

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1077

Adopted : 10/30/1995

697 SPONSORED BY: Councillor Gilmer

DIGEST: authorizes a 35 mph speed limit on Cooper Road from 88th Street to 96th Street (District 1)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 201

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1086

Adopted : 10/30/1995

698 SPONSORED BY: Councillors Giffin, Boyd, Dowden, Gilmer

DIGEST: remembers the life and contributions of Thomas C. Hasbrook

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 85

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 973

Adopted : 10/16/1995

699 SPONSORED BY: Councillor Short

DIGEST: recognizes the 503rd anniversary of Christopher Columbus' voyage to the New World and the Caito family of Indianapolis

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 84

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 974

Adopted : 10/16/1995

700 SPONSORED BY: Councillor Franklin

DIGEST: supports an application to the Indiana Enterprise Zone Board for the expansion of the Indianapolis Enterprise Zone

REFERRED TO: Whole Committee

COUNCIL RESOLUTION 65

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 975

Adopted : 10/16/1995

1995 Proposal Index

701	SPONSORED BY: Councillor West		
	DIGEST: Rezoning ordinance for Warren Township, Councilmatic District 12 11379 East 21st Street (approximate address)(95-Z-139)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	155
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 980	Adopted : 10/16/1995
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702	SPONSORED BY: Councillor West		
	DIGEST: Rezoning ordinance for Warren Township, Councilmatic District 12, 11378 East 21 Street (approximate address)(95-Z-140)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	156
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 980	Adopted : 10/16/1995
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703	SPONSORED BY: Councillor West		
	DIGEST: Rezoning ordinance Warren Township, Councilmatic District 13, 6743 E Washington Street (approximate address)(95-Z-126)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	157
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 981	Adopted : 10/16/1995
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704	SPONSORED BY: Councillor West		
	DIGEST: Rezoning ordinance Center Township, Councilmatic District 21, 2809-2819 E Washington Street (approximate address)(95-Z-130)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	158
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 981	Adopted : 10/16/1995
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705	SPONSORED BY: Councillor West		
	DIGEST: Rezoning ordinance Center Township, Councilmatic District 21, 1845-1940 Churchman Avenue and 2338-2346 Reformers Avenue (approximate address)(95-Z-131)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	159
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 981	Adopted : 10/16/1995
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706	SPONSORED BY: Councillor West		
	DIGEST: Rezoning ordinance Center Township, Councilmatic District 22, 524 North Park Avenue (approximate address)(95-Z-134)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	160
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 981	Adopted : 10/16/1995
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707	SPONSORED BY: Councillor West		
	DIGEST: Rezoning ordinance Center Township, Councilmatic District 22, 811 Massachusetts Avenue (approximate address)(95-Z-148)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	161
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 981	Adopted : 10/16/1995
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708	SPONSORED BY: Councillor West		
	DIGEST: Rezoning ordinance Center Township, Councilmatic District 21, 2409, 2411, 2423 and 2425 English Avenue (approximate address)(95-Z-157)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE	162
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 981	Adopted : 10/16/1995

1995 Proposal Index

709 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Franklin Township, Councilmatic District 23, 5577 East Thompson Road (approximate address)(95-Z-65)

REFERRED TO: Whole Committee

REZONING ORDINANCE 163

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 981

Adopted : 10/16/1995

710 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Wayne Township, Councilmatic District 18, 8078 West 21 Street (approximate address)(95-Z-107)

REFERRED TO: Whole Committee

REZONING ORDINANCE 164

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 982

Adopted : 10/16/1995

711 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Center Township, Councilmatic District 21, 2233 East Washington Street (approximate address)(95-Z-108)

REFERRED TO: Whole Committee

REZONING ORDINANCE 165

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 982

Adopted : 10/16/1995

712 SPONSORED BY: Councillor Hinkle

DIGEST: requests the Metropolitan Development Commission to initiate and adopt amendments to the Commercial and the Special Use Zoning Ordinance so as to require that commercial bingo operations would be permitted only in a SU-44 or similar district established for premises the primary or dominate use of which is for gambling activities

REFERRED TO: Metropolitan Development Committee

COUNCIL RESOLUTION 71

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1074

Adopted : 10/30/1995

713 SPONSORED BY: Councillor McClamroch

DIGEST: selects Marvin Hawkins as its appointment to committees established to determine common construction wages in Marion County

REFERRED TO: Rules and Public Policy Committee

COUNCIL RESOLUTION 73

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1097

Adopted : 11/20/1995

714 SPONSORED BY: Councillor McClamroch

DIGEST: establishes a special METRO Bus Task Force

REFERRED TO: Whole Committee

COUNCIL RESOLUTION 66

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1028

Adopted : 10/16/1995

715 SPONSORED BY: Councillor Borst

DIGEST: amends S.R. No. 34, 1995, by increasing the amount of the inducement resolution from \$15,000,000 to \$17,000,000 and by extending the expiration date through May 31, 1996 for Willowbrook Park, L.P. (4803 Round Lake Road - District 7)

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 87

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1044

Adopted : 10/30/1995

1995 Proposal Index

716	SPONSORED BY: Councillor Borst		
DIGEST:	amends S.O. No. 43, 1985 by authorizing the extension of the maturity date for the previously issued City of Indianapolis Economic Development Revenue Bond (Web Reality of Indianapolis, Ltd. Project) (6803 North Coffman Road - District 1)		
REFERRED TO:	Economic Development Committee	SPECIAL ORDINANCE	17
APPROVED BY MAYOR:	11/03/1995	JOURNAL PAGE:	1045
		Adopted :	10/30/1995
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717	SPONSORED BY: Councillor Curry		
DIGEST:	an appropriation of \$3,000 for the County Surveyor to pay overtime due to additional work on behalf of IMAGIS financed by transfers of other appropriations within the agency's County General Fund		
REFERRED TO:	Administration and Finance Committee	FISCAL ORDINANCE	105
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	1041
		Adopted :	10/30/1995
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718	SPONSORED BY: Councillor McClamroch		
DIGEST:	reappoints Donald R. Hudson to the Indianapolis-Marion County Building Authority Board of Trustees		
REFERRED TO:	Administration and Finance Committee	COUNCIL RESOLUTION	74
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	1098
		Adopted :	11/20/1995
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719	SPONSORED BY: Councillor Rhodes		
DIGEST:	an appropriation of \$100,000 for the Department of Administration, Real Estate Division, for city-owned property management and maintenance financed by a transfer within the division's Consolidated County Fund		
REFERRED TO:	Administration and Finance Committee	FISCAL ORDINANCE	128
APPROVED BY MAYOR:	11/28/1995	JOURNAL PAGE:	1125
		Adopted :	11/20/1995
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720	SPONSORED BY: Councillor O'Dell		
DIGEST:	an appropriation of \$34,302 for the Office of Youth and Family Services to provide neighborhood-based primary health care services financed by a transfer within the agency's Consolidated County Fund		
REFERRED TO:	Community Affairs Committee	FISCAL ORDINANCE	129
APPROVED BY MAYOR:	11/28/1995	JOURNAL PAGE:	1126
		Adopted :	11/20/1995
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721	SPONSORED BY: Councillor West		
DIGEST:	an appropriation of \$138,345 for the Department of Metropolitan Development, Divisions of Planning and Neighborhood and Development Services, to purchase computers, financed by transfers within the divisions' Metropolitan Development General Fund		
REFERRED TO:	Metropolitan Development Committee	FISCAL ORDINANCE	130
APPROVED BY MAYOR:	11/28/1995	JOURNAL PAGE:	1127
		Adopted :	11/20/1995
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722	SPONSORED BY: Councillor Giffin		
DIGEST:	reduces \$625,000 from the Department of Parks and Recreation's Park General Fund as part of the financing for the 1996 annual budget		
REFERRED TO:	Parks and Recreation Committee	FISCAL ORDINANCE	131
APPROVED BY MAYOR:	11/28/1995	JOURNAL PAGE:	1129
		Adopted :	11/20/1995
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1995 Proposal Index

723 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$128,134 for the Prosecuting Attorney to continue the Victim Advocate Project financed by state and federal grants

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 127

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1124

Adopted : 11/20/1995

724 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$338,114 for the County Auditor, Prosecuting Attorney, County Sheriff, and the Presiding Judge of the Municipal Courts which is the third quarter distribution of the Deferral Program Fee Fund financed by revenues from that fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 133

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1193

Adopted : 12/11/1995

725 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$38,782 for Community Corrections to fund a Jail Work Program financed by County General Fund Jail Reserve Account

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1194

Stricken : 12/11/1995

726 SPONSORED BY: Councillors McClamroch, Moriarty Adams

DIGEST: appoints David McClure to the Animal Control Board

REFERRED TO: Public Safety and Criminal Justice Committee

COUNCIL RESOLUTION 75

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1098

Adopted : 11/20/1995

727 SPONSORED BY: Councillor Curry

DIGEST: amends the Revised Code pertaining to the Information Services Board, Agency

REFERRED TO: Rules and Public Policy Committee

GENERAL ORDINANCE 202

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1130

Adopted : 11/20/1995

728 SPONSORED BY: Councillor Gilmer

DIGEST: permits additional materials for right-of-way restoration

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 218

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1239

Adopted : 12/11/1995

729 SPONSORED BY: Councillors Borst, Brents

DIGEST: removes traffic signal at Morris Street and Union Street (Districts 16, 25)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 206

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1163

Adopted : 11/20/1995

730 SPONSORED BY: Councillor Borst

DIGEST: removes traffic signal at Palmer Street and Union Street (District 25)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 207

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1164

Adopted : 11/20/1995

1995 Proposal Index

731	SPONSORED BY: Councillor O'Dell		
DIGEST: authorizes multi-way stops for the intersections in the Forest Creek subdivision, Sections 1 and 2 (District 13)			
REFERRED TO: Capital Asset Management Committee		GENERAL ORDINANCE	219
APPROVED BY MAYOR: 12/18/1995		JOURNAL PAGE: 1245	Adopted : 12/11/1995
732	SPONSORED BY: Councillor Rhodes		
DIGEST: authorizes a multi-way stop at 68th Street and Riley Avenue (District 7)			
REFERRED TO: Capital Asset Management Committee		GENERAL ORDINANCE	208
APPROVED BY MAYOR: 11/28/1995		JOURNAL PAGE: 1165	Adopted : 11/20/1995
733	SPONSORED BY: Councillor Moriarty Adams		
DIGEST: authorizes a multi-way stop at Brookville Road and Worcester Avenue (District 15)			
REFERRED TO: Capital Asset Management Committee		GENERAL ORDINANCE	209
APPROVED BY MAYOR: 11/28/1995		JOURNAL PAGE: 1165	Adopted : 11/20/1995
734	SPONSORED BY: Councillor Short		
DIGEST: authorizes a multi-way stop at Caven Street and Kennington Street (District 21)			
REFERRED TO: Capital Asset Management Committee		GENERAL ORDINANCE	210
APPROVED BY MAYOR: 11/28/1995		JOURNAL PAGE: 1166	Adopted : 11/20/1995
735	SPONSORED BY: Councillor Moriarty Adams		
DIGEST: authorizes a multi-way stop at Drexel Avenue and 13th Street (District 15)			
REFERRED TO: Capital Asset Management Committee		GENERAL ORDINANCE	211
APPROVED BY MAYOR: 11/28/1995		JOURNAL PAGE: 1166	Adopted : 11/20/1995
736	SPONSORED BY: Councillors Brent, Shambaugh, Gray, Gilmer		
DIGEST: authorizes parking restrictions on Lafayette Road on both sides from 16th Street to I-65 (Districts 16, 8, 9, 1)			
REFERRED TO: Capital Asset Management Committee		GENERAL ORDINANCE	212
APPROVED BY MAYOR: 11/28/1995		JOURNAL PAGE: 1167	Adopted : 11/20/1995
737	SPONSORED BY: Councillor Williams		
DIGEST: removes parking restrictions on Alabama Street from a point 70 feet south of St. Joseph Street to a point 50 feet north of St. Joseph Street (District 22)			
REFERRED TO: Capital Asset Management Committee		GENERAL ORDINANCE	213
APPROVED BY MAYOR: 11/28/1995		JOURNAL PAGE: 1167	Adopted : 11/20/1995
738	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Pike Township, Councilmanic District #1, 8004 West 88 Street (approximate address) (95-Z-4)			
REFERRED TO: Whole Committee		REZONING ORDINANCE	166
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 1046	Adopted : 10/30/1995

1995 Proposal Index

739 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 5950 Kentucky Avenue (approximate address) (95-Z-149)

REFERRED TO: Whole Committee

REZONING ORDINANCE 167

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1047

Adopted : 10/30/1995

740 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District #13, 6617 East Washington Street (approximate address) (95-Z-129)

REFERRED TO: Whole Committee

REZONING ORDINANCE 168

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1047

Adopted : 10/30/1995

741 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District #22, 130 East 30th Street (approximate address) (95-Z-158)

REFERRED TO: Whole Committee

REZONING ORDINANCE 169

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1047

Adopted : 10/30/1995

742 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District # 18, 8465 Crawfordsville Road (approximate address) (95-Z-159)

REFERRED TO: Whole Committee

REZONING ORDINANCE 170

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1047

Adopted : 10/30/1995

743 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District #10, 3418 East 20th Street (approximate address) (95-Z-161)

REFERRED TO: Whole Committee

REZONING ORDINANCE 171

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1047

Adopted : 10/30/1995

744 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District #18, 2551 Tansel Road (rear) (approximate address) (95-Z-164)

REFERRED TO: Whole Committee

REZONING ORDINANCE 172

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1047

Adopted : 10/30/1995

745 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District #18, 2351 Tansel Road (rear) (approximate address) (95-Z-165)

REFERRED TO: Whole Committee

REZONING ORDINANCE 173

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1047

Adopted : 10/30/1995

746 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District #6, 4728-4750 North Keystone Avenue (approximate address) (95-Z-166)

REFERRED TO: Whole Committee

REZONING ORDINANCE 174

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1047

Adopted : 10/30/1995

1995 Proposal Index

747 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District #10, 6848-6850 East 21st Street (approximate address) (95-Z-167)

REFERRED TO: Whole Committee

REZONING ORDINANCE 175

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1048

Adopted : 10/30/1995

748 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District #25, 8926 Shelby Street (approximate address) (95-Z-50)

REFERRED TO: Whole Committee

REZONING ORDINANCE 176

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1048

Adopted : 10/30/1995

749 SPONSORED BY: Councillor SerVaas

DIGEST: recognizes the Korean and Vietnam War Veterans Memorials in Indianapolis

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 86

APPROVED BY MAYOR: 10/03/1995

JOURNAL PAGE: 1037

Adopted : 10/30/1995

750 SPONSORED BY: Councillor West

DIGEST: amends the Special Districts Zoning Ordinance in order to comply with the State's "Development Plan Law" (95-AO-12)

REFERRED TO: Metropolitan Development Committee

GENERAL ORDINANCE 203

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1136

Adopted : 11/20/1995

751 SPONSORED BY: Councillor West

DIGEST: amends the Wellfield Protection Zoning Ordinance to conform with the state law regarding the appointment of a hearing officer in lieu of a board of zoning appeals (95-AO-13A)

REFERRED TO: Metropolitan Development Committee

GENERAL ORDINANCE 204

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1161

Adopted : 11/20/1995

752 SPONSORED BY: Councillor West

DIGEST: amends the Wellfield Protection Zoning Ordinance by extending the expiration date from July 1, 1996 to December 31, 1996 (95-AO-13B)

REFERRED TO: Metropolitan Development Committee

GENERAL ORDINANCE 205

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1162

Adopted : 11/20/1995

753 SPONSORED BY: Councillor Rhodes

DIGEST: authorizing tax anticipation borrowing for the City during the period from January 1, 1996 through December 31, 1996

REFERRED TO: Administration and Finance Committee

FISCAL ORDINANCE 134

APPROVED BY MAYOR: 12/18/1995

JOURNAL PAGE: 1194

Adopted : 12/11/1995

754 SPONSORED BY: Councillor Rhodes

DIGEST: authorizing tax anticipation borrowing for the County General Fund, the County Family and Children Fund, and the County Welfare General Fund during the period from January 1, 1996 through December 31, 1996

REFERRED TO: Administration and Finance Committee

FISCAL ORDINANCE 135

APPROVED BY MAYOR: 12/18/1995

JOURNAL PAGE: 1199

Adopted : 12/11/1995

1995 Proposal Index

755 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$150,000 for the County Sheriff to pay the increased food expense due to a larger inmate population financed by transfers of other appropriations within the department's County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 141

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1231

Adopted : 12/11/1995

756 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$14,192 to continue the Salvation Army's Domestic Violence Program through the Prosecuting Attorney financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 136

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1203

Adopted : 12/11/1995

757 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$38,300 for the Prosecutor's Child Support IV-D Agency to cover contractual consultant expense financed by transfers of appropriations within the agency's County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 142

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1231

Adopted : 12/11/1995

758 SPONSORED BY: Councillor Franklin

DIGEST: an appropriation of \$900 for the Superior Court, Criminal Division, Room Four, to pay for maintenance agreement, postage, and electrical work expenses financed by a transfer within the court's County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 143

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1232

Adopted : 12/11/1995

759 SPONSORED BY: Councillor Dowden

DIGEST: corrects Fiscal Ordinance No. 177, 1995 for the Superior Court, Criminal Division, Probation Department

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 144

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1233

Adopted : 12/11/1995

760 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$31,252 for the Superior Court, Juvenile Division/Detention Center, to provide legal assistance for children through Child Advocates, Inc. financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 137

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1204

Adopted : 12/11/1995

761 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$49,967 for the Superior Court, Juvenile Division/Detention Center, to fund Partners for Youth financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 138

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1204

Adopted : 12/11/1995

762 SPONSORED BY: Councillors Dowden, Borst

DIGEST: an appropriation of \$68,425 for the Superior Court, Juvenile Division/Detention Center, to fund the Southside Youth Council/Teen Court Program financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 139

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1205

Adopted : 12/11/1995

1995 Proposal Index

763 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$25,536 for the Court Administrator Agency to continue the Visiting Nurse Service as part of the Family Connection Center Program financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 140

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1206

Adopted: 12/11/1995

764 SPONSORED BY: Councillor Curry

DIGEST: approves an information technology operating agreement between the City/County and the SCT Software and Resource Management Corporation

REFERRED TO: Rules and Public Policy Committee

SPECIAL ORDINANCE 22

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1230

Adopted: 12/11/1995

765 SPONSORED BY: Councillor Rhodes

DIGEST: authorizes a multi-way stop at Crittenden Avenue and 61st Street (District 7)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 220

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1245

Adopted: 12/11/1995

766 SPONSORED BY: Councillor Rhodes

DIGEST: authorizes a multi-way stop at Rural Street and 72nd Street (District 7)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 221

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1246

Adopted: 12/11/1995

767 SPONSORED BY: Councillor Rhodes

DIGEST: authorizes a multi-way stop at Tacoma Avenue and 72nd Street (District 7)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 222

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1246

Adopted: 12/11/1995

768 SPONSORED BY: Councillor Moriarty Adams

DIGEST: authorizes a multi-way stop at North Street and Oakland Avenue (District 15)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 223

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1247

Adopted: 12/11/1995

769 SPONSORED BY: Councillor Moriarty Adams

DIGEST: authorizes a multi-way stop at North Street and Parker Avenue (District 15)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 224

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1247

Adopted: 12/11/1995

770 SPONSORED BY: Councillor Tilford

DIGEST: authorizes a multi-way stop at Shortridge Road and 13th Street (District 12)

REFERRED TO: Capital Asset Management Committee

GENERAL ORDINANCE 225

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1248

Adopted: 12/11/1995

771 SPONSORED BY: Councillor Borst

DIGEST: amends S.R. No. 78, 1994, as amended, by extending the expiration date for Post Pointe Partners, Ltd, through June 30, 1996 at 9027 East 39th Place (District 14)

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 92

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1102

Adopted: 11/20/1995

1995 Proposal Index

772 SPONSORED BY: Councillor Borst

DIGEST: authorizes the execution of an Assignment and Assumption of Loan Agreement and other related documents concerning the previously issued \$2 million City of Indianapolis Health Care Facility Revenue Bond, Series A (Castleton Nursing Home Project) at 7630 East 86th Street (District 4)

REFERRED TO: Economic Development Committee

SPECIAL ORDINANCE 18

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1103

Adopted : 11/20/1995

773 SPONSORED BY: Councillor Borst

DIGEST: authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$5 million for Pleasant Run Children's Homes, Inc. at 2400 North Tibbs Avenue (District 16)

REFERRED TO: Economic Development Committee

SPECIAL ORDINANCE 19

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1105

Adopted : 11/20/1995

774 SPONSORED BY: Councillor Borst

DIGEST: an inducement resolution for Crossing Partners, L.P., in an amount not to exceed \$7,700,000 to proceed with the acquisition, renovation and equipping of the existing 240 unit multi-family residential rental facility located at 4000 North Franklin Road (District 12)

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 93

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1107

Adopted : 11/20/1995

775 SPONSORED BY: Councillor Borst

DIGEST: a special resolution for The Malachi Corporation, Inc., consenting to the City of Lawrence, Indiana issuing its economic development revenue bonds in an amount not to exceed \$6,500,000 for the acquisition, renovation and equipping of the four existing nursing homes located at 1747 North Rural Street, 901 North East Street, 1118 East 46th Street, and 1910 North Delaware Street (Districts 6, 22)

REFERRED TO: Economic Development Committee

SPECIAL RESOLUTION 103

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1181

Adopted : 12/11/1995

776 SPONSORED BY: Councillor Dowden

DIGEST: approves the disbursement of \$729,232.75 from the Drug Free Community Fund for various county agencies

REFERRED TO: Public Safety and Criminal Justice Committee

SPECIAL RESOLUTION 107

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1234

Adopted : 12/11/1995

777 SPONSORED BY: Councillors O'Dell, Tilford

DIGEST: recognizes students Stephen Irons and Joseph "Joe" McIntosh

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 88

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1094

Adopted : 11/20/1995

778 SPONSORED BY: Councillors Hinkle, Giffin

DIGEST: recognizes the Ben Davis Cross Country Team State Champions

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 89

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1095

Adopted : 11/20/1995

779 SPONSORED BY: Councillor Beadling

DIGEST: recognizes Bob Gregory's Coats for Kids Program

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 90

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1095

Adopted : 11/20/1995

1995 Proposal Index

780 SPONSORED BY: Councillor SerVaas

DIGEST: approves a schedule of regular council meetings for the year 1996

REFERRED TO: Whole Committee

COUNCIL RESOLUTION 72

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1096

Adopted : 11/20/1995

781 SPONSORED BY: Councillor Dowden

DIGEST: corrects Fiscal Ordinance No. 100, 1995 for the Prosecuting Attorney and the County Auditor

REFERRED TO: Public Safety and Criminal Justice Committee

FISCAL ORDINANCE 145

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1235

Adopted : 12/11/1995

782 SPONSORED BY: Councillor McClamroch

DIGEST: an appropriation of \$6,000,000 for the Department of Capital Asset Management for public transportation initiatives financed by a transfer of appropriations from the Office of the Controller's State Grants Fund

REFERRED TO: Capital Asset Management Committee

FISCAL ORDINANCE 132

APPROVED BY MAYOR: 12/18/1995

JOURNAL PAGE: 1190

Adopted : 12/11/1995

783 SPONSORED BY: Councillors Giffin, Rhodes, Black, Williams

DIGEST: provides for healthcare benefits for qualified former employees

REFERRED TO: Rules and Public Policy Committee

GENERAL ORDINANCE

APPROVED BY MAYOR: / /

JOURNAL PAGE:

No Action Taken In '95 : / /

784 SPONSORED BY: Councillor West

DIGEST: amends the Comprehensive Zoning Maps of Marion County by updating base maps #7, #8, #10, and #15

REFERRED TO: Metropolitan Development Committee

GENERAL ORDINANCE 216

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1236

Adopted : 12/11/1995

785 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Pike Township, Councilmanic District #2, 8444 North Michigan Road, (approximate address) (94-z-91)

REFERRED TO: Whole Committee

REZONING ORDINANCE 177

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1109

Adopted : 11/20/1995

786 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District #3, 8611 North Haverstick Road (approximate address) (95-z-85)

REFERRED TO: Whole Committee

REZONING ORDINANCE 178

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1109

Adopted : 11/20/1995

787 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Decatur Township, Councilmanic District #19, 8610 Camby Road (approximate address) (95-z-135)

REFERRED TO: Whole Committee

REZONING ORDINANCE 179

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1109

Adopted : 11/20/1995

1995 Proposal Index

788 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Washington Township, Councilmanic District 7, 2558 East 55th Place
(approximate address) (95-Z-151)

REFERRED TO: Whole Committee

REZONING ORDINANCE 180

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1109

Adopted : 11/20/1995

789 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Wayne Township, Councilmanic District 19, 9202 West Washington Street
(approximate address) (95-Z-152)

REFERRED TO: Whole Committee

REZONING ORDINANCE 181

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1109

Adopted : 11/20/1995

790 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Lawrence Township, Councilmanic District 5, 10601 Pendleton Pike
(approximate address) (95-Z-154)

REFERRED TO: Whole Committee

REZONING ORDINANCE 182

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1109

Adopted : 11/20/1995

791 SPONSORED BY: Councillor West

DIGEST: Rezoning Ordinance for Wayne Township, Councilmanic District 18. 8215 West Washington Street
(approximate address) (95-Z-169)

REFERRED TO: Whole Committee

REZONING ORDINANCE 183

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1109

Adopted : 11/20/1995

792 SPONSORED BY: Councillor Westq

DIGEST: Rezoning ordinance for Center Township, Councilmanic District 9, 1007 West 30th Street
(approximate address) (95-Z-175)

REFERRED TO: Whole Committee

REZONING ORDINANCE 184

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1109

Adopted : 11/20/1995

793 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Perry Township, Councilmanic District 24, 1281 East Troy (approximate
address) (95-Z-177)

REFERRED TO: Whole Committee

REZONING ORDINANCE 185

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1110

Adopted : 11/20/1995

794 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 402 North High School Road
(approximate address) (95-Z-145)

REFERRED TO: Whole Committee

REZONING ORDINANCE 186

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1110

Adopted : 11/20/1995

795 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 7216 Hague Road (approximate
address) (95-Z-147)

REFERRED TO: Whole Committee

REZONING ORDINANCE 186

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1110

Adopted : 11/20/1995

1995 Proposal Index

796 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Center Township, Councilmanic District 25, 1337-1355 South Meridian Street (approximate address) (95-Z-155)

REFERRED TO: Whole Committee

REZONING ORDINANCE 188

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1110

Adopted : 11/20/1995

797 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 5206 Rockville Road (approximate address) (95-Z-163)

REFERRED TO: Whole Committee

REZONING ORDINANCE 189

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1110

Adopted : 11/20/1995

798 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Lawrence Township, Councilmanic District 4, 6520 East 82nd St. (approximate address) (95-Z-181)

REFERRED TO: Whole Committee

REZONING ORDINANCE 190

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1110

Adopted : 11/20/1995

799 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Center Township, Councilmanic District 22, 419 North College Ave, (approximate address) (95-Z-182)

REFERRED TO: Whole Committee

REZONING ORDINANCE 191

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1110

Adopted : 11/20/1995

800 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Perry Township, Councilmanic District 24, 5728 South Emerson (approximate address) (95-Z-183)

REFERRED TO: Whole Committee

REZONING ORDINANCE 192

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1110

Adopted : 11/20/1995

801 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Warren Township, Councilmanic District 13, 6021-6029 Southeastern Avenue (approximate address) (95-Z-185)

REFERRED TO: Whole Committee

REZONING ORDINANCE 193

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1110

Adopted : 11/20/1995

802 SPONSORED BY: Councillor Curry

DIGEST: approves extension of cable franchise of American Cablevision of Indianapolis until June 1, 1996

REFERRED TO: Rules and Public Policy Committee

SPECIAL RESOLUTION 106

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1229

Adopted : 12/11/1995

803 SPONSORED BY: Councillor Jimison

DIGEST: recognizes Reverend Dr. Andrew J. Brown

REFERRED TO: Whole Committee

SPECIAL RESOLUTION 91

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1093

Adopted : 11/20/1995

1995 Proposal Index

804	SPONSORED BY: Councillor Coughenour DIGEST: recognizes Michael B. Stayton REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1172	SPECIAL RESOLUTION 94 Adopted : 12/11/1995
805	SPONSORED BY: Councillors SerVaas, McClamroch, Boyd DIGEST: recognizes the public service of Councillor Linda Beadling REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1173	SPECIAL RESOLUTION 95 Adopted : 12/11/1995
806	SPONSORED BY: Councillors SerVaas, McClamroch, Boyd DIGEST: recognizes the public service of Councillor Ken Giffin REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1173	SPECIAL RESOLUTION 96 Adopted : 12/11/1995
807	SPONSORED BY: Councillors SerVaas, McClamroch, Boyd DIGEST: recognizes the public service of Councillor Z. Mae Jimison REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1174	SPECIAL RESOLUTION 97 Adopted : 12/11/1995
808	SPONSORED BY: Councillors SerVaas, McClamroch, Boyd DIGEST: recognizes the public service of Councillor Timothy M. Mullin REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1175	SPECIAL RESOLUTION 98 Adopted : 12/11/1995
809	SPONSORED BY: Councillors SerVaas, McClamroch, Boyd, DIGEST: recognizes the public service of Councillor Stuart W. Rhodes REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1175	SPECIAL RESOLUTION 99 Adopted : 12/11/1995
810	SPONSORED BY: Councillors SerVaas, McClamroch, Boyd, DIGEST: recognizes the public service of Councillor Stephen R. West REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1176	SPECIAL RESOLUTION 100 Adopted : 12/11/1995
811	SPONSORED BY: Councillors Golc, Mullin DIGEST: urges the Legislature to increase the penalty for feticide REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1177	SPECIAL RESOLUTION 101 Adopted : 12/11/1995
812	SPONSORED BY: Councillor Borst DIGEST: concerns Purdue University REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1178	SPECIAL RESOLUTION 102 Adopted : 12/11/1995

1995 Proposal Index

813	SPONSORED BY: Councillor Borst		
DIGEST: amends S.R. No. 84, 1990 as amended, by extending the expiration date for Meadows Revival, Inc. through July 31, 1996 at 38th Street and Meadows Drive (District 11)			
REFERRED TO: Economic Development Committee		SPECIAL RESOLUTION	104
APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1182		Adopted: 12/11/1995	
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814	SPONSORED BY: Councillor Borst		
DIGEST: authorizes the execution of a First Amendment to Trust Indenture and First Amendment to Loan Agreement concerning the previously issued \$12,300,000 City of Indianapolis, Indiana Multi-Family Housing Revenue Refunding Bonds (Canal Square Project) at 402 West New York Street (District 16)			
REFERRED TO: Economic Development Committee		SPECIAL ORDINANCE	20
APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1183		Adopted: 12/11/1995	
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815	SPONSORED BY: Councillor Borst		
DIGEST: authorizes the issuance of economic development revenue refunding bonds in an aggregate principal amount not to exceed \$19,000,000 for Lockefield Associates at Indiana Avenue from Blackford Street to Agnes Street (District 16)			
REFERRED TO: Economic Development Committee		SPECIAL ORDINANCE	21
APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1185		Adopted: 12/11/1995	
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816	SPONSORED BY: Councillor Borst		
DIGEST: an inducement resolution for Banner Investments, Inc., in an amount not to exceed \$8,250,000 to proceed with the acquisition, renovation and equipping of the existing 304 unit multi-family residential rental facility located at 4444 Mission Drive (District 1)			
REFERRED TO: Economic Development Committee		SPECIAL RESOLUTION	105
APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1188		Adopted: 12/11/1995	
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817	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 2, 7450 New Augusta Road (approximate address) (95-Z-153)			
REFERRED TO: Whole Committee		REZONING ORDINANCE	194
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1191		Adopted: 12/11/1995	
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818	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Center Township, Councilmanic District 9, 1708 West 30th Street, (approximate address) (95-Z-173)			
REFERRED TO: Whole Committee		REZONING ORDINANCE	195
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1191		Adopted: 12/11/1995	
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819	SPONSORED BY: Councillor West		
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 6301 Zionsville Road (approximate address) (95-Z-162)			
REFERRED TO: Whole Committee		REZONING ORDINANCE	196
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1191		Adopted: 12/11/1995	
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1995 Proposal Index

820	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 3218 Harper Road, (approximate address) (95-Z-146)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE 197	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 1191	Adopted : 12/11/1995
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821	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 4, 5085 East 64th Street (approximate address) (95-Z-156)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE 198	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 1191	Adopted : 12/11/1995
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822	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 7, 6202-6230 North College Avenue and 660 East 62nd Street, (approximate address) (95-Z-160)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE 199	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 1191	Adopted : 12/11/1995
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823	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 2425 East Michigan Street (approximate address) (95-Z-174)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE 200	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 1191	Adopted : 12/11/1995
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824	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 8380 Kelly Lane (approximate address) (95-Z-176)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE 201	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 1192	Adopted : 12/11/1995
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825	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 4902 Mann Road, (approximate address) (95-Z-178)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE 202	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 1192	Adopted : 12/11/1995
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826	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 6231 South Arlington Avenue, (approximate address) (95-Z-186)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE 203	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 1192	Adopted : 12/11/1995
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827	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 408 South Meridian Street a.k.a. 19 West Street (approximate address) (95-Z-187)		
	REFERRED TO: Whole Committee	REZONING ORDINANCE 204	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 1192	Adopted : 12/11/1995

1995 Proposal Index

828 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 521 North College Avenue
(approximate address) (95-Z-188)

REFERRED TO: Whole Committee

REZONING ORDINANCE 205

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1192

Adopted: 12/11/1995

829 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District 11, 3850 North Keystone
Avenue (approximate address) (95-Z-191)

REFERRED TO: Whole Committee

REZONING ORDINANCE 206

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1192

Adopted: 12/11/1995

830 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 4001 South Emerson Avenue
(approximate address) Beech Grove (95-Z-193)

REFERRED TO: Whole Committee

REZONING ORDINANCE 207

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1192

Adopted: 12/11/1995

1995 General Ordinance Index

1	SPONSORED BY: Councillor West		
	DIGEST: amending the Comprehensive Zoning Maps of Marion County by updating base maps #30, #33, #35 and #45		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 696	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 14	ADOPTED: 01/09/1995
2	SPONSORED BY: Councillor Dowden		
	DIGEST: amending Sec. 285-307 of the Revised Code concerning the distribution of enhanced access fees		
	REFERRED TO: Administration and Finance Committee	PROPOSAL NO: 695	
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE: 34	ADOPTED: 01/23/1995
3	SPONSORED BY: Councillor O'Dell		
	DIGEST: authorizing the Marion County Recorder to collect a reasonable fee for providing duplicate copies of computer tapes, computer disks, optical disks, microfilm, or similar media to the general public		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 697	
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE: 36	ADOPTED: 01/23/1995
4	SPONSORED BY: Councillor West		
	DIGEST: amending the Sign Regulations of Marion County to comprehensively revise and update the regulation of signs within the County		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 702	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 37	ADOPTED: 01/23/1995
5	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: amending the Code by authorizing multi-way stop at Dequincy Street and Walnut Street (District 15)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 698	
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE: 86	ADOPTED: 01/23/1995
6	SPONSORED BY: Councillor Dowden		
	DIGEST: amending the Code by authorizing a traffic signal at Shadeland Avenue and Lake Castleton Arms (District 4)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 2	
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE: 87	ADOPTED: 01/23/1995
7	SPONSORED BY: Councillor Gray		
	DIGEST: amending the Code by authorizing a multi-way stop at 33rd Street and Kenwood Avenue (District 9)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 3	
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE: 88	ADOPTED: 01/23/1995
8	SPONSORED BY: Councillor Jimison		
	DIGEST: amending the Code by authorizing a multi-way stop at Ritter Avenue and 41st Street (District 14)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 4	
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE: 88	ADOPTED: 01/23/1995

1995 General Ordinance Index

9	SPONSORED BY: Councillor Gilmer		
	DIGEST: amending the Code by authorizing a multi-way stop at Manning Road and Catalpa Street (District 1)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	5
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE:	89
		ADOPTED:	01/23/1995
10	SPONSORED BY: Councillor Ruhmkorff		
	DIGEST: amending the Code by authorizing a multi-way stop at Edmondson Avenue and Springer Avenue (District 12)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	6
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE:	89
		ADOPTED:	01/23/1995
11	SPONSORED BY: Councillor Golc		
	DIGEST: amending the Code by authorizing a stop sign at Moreland Avenue and Southern Avenue (District 17)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	7
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE:	90
		ADOPTED:	01/23/1995
12	SPONSORED BY: Councillor Brents		
	DIGEST: amending the Code by authorizing a stop sign at Muskingham Street and Arch Street (District 16)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	8
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE:	90
		ADOPTED:	01/23/1995
13	SPONSORED BY: Councillor Rhodes		
	DIGEST: amending the Code by authorizing a multi-way stop at 60th Street and Rosslyn Avenue (District 7)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	9
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE:	90
		ADOPTED:	01/23/1995
14	SPONSORED BY: Councillor Mullin		
	DIGEST: amending the Code by authorizing a stop sign at Benton Drive and Cynthia Drive (District 20)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	10
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE:	91
		ADOPTED:	01/23/1995
15	SPONSORED BY: Councillor Gilmer		
	DIGEST: amending the Code by authorizing a multi-way stop at Old Barn Circle and Old Barn Drive (District 1)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	11
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE:	91
		ADOPTED:	01/23/1995
16	SPONSORED BY: Councillor Schneider		
	DIGEST: amending the Code by authorizing a yield sign at Kenwood Avenue and Kenwood Court (District 3)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	12
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE:	92
		ADOPTED:	01/23/1995
17	SPONSORED BY: Councillor Williams		
	DIGEST: amending the Code by authorizing one-way traffic flow on 21st Street between Pennsylvania Street and Talbott Street (eastbound); on 21st Street Annex between Talbott Street and Pennsylvania Street (westbound); and on 17th Street between Talbott Street and Delaware Street (eastbound) (District 22)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	13
	APPROVED BY MAYOR: 01/26/1995	JOURNAL PAGE:	92
		ADOPTED:	01/23/1995

1995 General Ordinance Index

18	SPONSORED BY: Councillor Franklin		
DIGEST: amending the Code by deleting certain regulations of business practices			
REFERRED TO: Administration and Finance Committee		PROPOSAL NO: 389	
APPROVED BY MAYOR: 02/16/1995		JOURNAL PAGE: 118	ADOPTED: 02/13/1995
19	SPONSORED BY: Councillor Franklin		
DIGEST: recodifying and amending the Code concerning hotels and places of public lodging			
REFERRED TO: Administration and Finance Committee		PROPOSAL NO: 390	
APPROVED BY MAYOR: 02/16/1995		JOURNAL PAGE: 121	ADOPTED: 02/13/1995
20	SPONSORED BY: Councillor Franklin		
DIGEST: amending the Revised Code by making certain changes in the regulation of adult entertainment establishments			
REFERRED TO: Administration and Finance Committee		PROPOSAL NO: 391	
APPROVED BY MAYOR: 02/16/1995		JOURNAL PAGE: 123	ADOPTED: 02/13/1995
21	SPONSORED BY: Councillor Franklin		
DIGEST: amending the Code concerning the regulation of pawnbrokers and dealers in secondhand merchandise			
REFERRED TO: Administration and Finance Committee		PROPOSAL NO: 392	
APPROVED BY MAYOR: 02/16/1995		JOURNAL PAGE: 128	ADOPTED: 02/13/1995
22	SPONSORED BY: Councillor Coughenour		
DIGEST: amending the Revised Code concerning industrial wastewater pretreatment			
REFERRED TO: Public Works Committee		PROPOSAL NO: 1	
APPROVED BY MAYOR: 02/16/1995		JOURNAL PAGE: 136	ADOPTED: 02/13/1995
23	SPONSORED BY: Councillor Boyd		
DIGEST: amending the Revised Code concerning the Resources Development Division of the Indianapolis Department of Parks and Recreation			
REFERRED TO: Parks and Recreation Committee		PROPOSAL NO: 39	
APPROVED BY MAYOR: 02/16/1995		JOURNAL PAGE: 157	ADOPTED: 02/13/1995
24	SPONSORED BY: Councillor West		
DIGEST: amending the Dwelling Districts Zoning Ordinance addressing state statute changes to "Home Day Care"			
REFERRED TO: Metropolitan and Development Committee		PROPOSAL NO: 62	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 159	ADOPTED: 02/13/1995
25	SPONSORED BY: Councillor Dowden		
DIGEST: amending Sec. 2-358 of the Code to allow Marion County to receive deposits from the Indiana Department of Corrections into the County Corrections Fund			
REFERRED TO: Public Safety and Criminal Justice Committee		PROPOSAL NO: 66	
APPROVED BY MAYOR: 02/16/1995		JOURNAL PAGE: 163	ADOPTED: 02/13/1995

1995 General Ordinance Index

26 SPONSORED BY: Councillor Dowden

DIGEST: amending the Code by permitting the Sheriff to establish franchise zones for the towing of automobiles

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 67

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 186

ADOPTED: 02/27/1995

27 SPONSORED BY: Councillor West

DIGEST: amending the Improvement Location Permit (ILP) Ordinance of Marion County to exempt 18 improvements/types of development from obtaining an ILP (MDC Docket No. 95-AO-2)

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 99

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 189

ADOPTED: 02/27/1995

28 SPONSORED BY: Councillor West

DIGEST: amending the Special Districts Zoning Ordinance of Marion County by (1) providing for certain improvements/types of development within "Special Districts" to be permitted by Administrator's Approval; (2) combining the language of the Special Use District Zoning Ordinance into the Special Districts Zoning Ordinance to consolidate two separate documents into one comprehensive ordinance; and (3) making minor technical amendments (MDC Docket No. 95-AO-3)

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 100

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 196

ADOPTED: 02/27/1995

29 SPONSORED BY: Councillor West

DIGEST: amending the Central Business Districts Zoning Ordinance of Marion County regarding off-track betting Pari Mutuel Wagering Facilities in any Central Business District (MDC Docket No. 95-AO-4)

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 101

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 217

ADOPTED: 02/27/1995

30 SPONSORED BY: Councillor Coughenour

DIGEST: amending the Code concerning environmental public nuisances

REFERRED TO: Public Works Committee

PROPOSAL NO: 160

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 227

ADOPTED: 02/27/1995

31 SPONSORED BY: Councillor Black

DIGEST: amending the Code by authorizing a multi-way stop at Pennsylvania Street and 32nd Street (Districts 6, 22)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 651

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 232

ADOPTED: 02/27/1995

32 SPONSORED BY: Councillor O'Dell

DIGEST: amending the Code by authorizing intersection controls for Creekside Woods subdivision (District 13)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 133

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 234

ADOPTED: 02/27/1995

33 SPONSORED BY: Councillor Gilmer

DIGEST: amending the Code by authorizing intersection controls for Bradford Woods subdivision (District 1)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 134

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 234

ADOPTED: 02/27/1995

1995 General Ordinance Index

34	SPONSORED BY: Councillor Hinkle		
DIGEST: amending the Code by authorizing intersection controls for Summerfield South subdivision, Section 3 (District 18)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	135
APPROVED BY MAYOR: 03/03/1995		JOURNAL PAGE:	234
		ADOPTED:	02/27/1995
35	SPONSORED BY: Councillor O'Dell		
DIGEST: amending the Code by authorizing stop signs for Cedar Springs subdivision (District 13)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	136
APPROVED BY MAYOR: 03/03/1995		JOURNAL PAGE:	235
		ADOPTED:	02/27/1995
36	SPONSORED BY: Councillor Dowden		
DIGEST: amending the Code by authorizing a multi-way stop at Creekside Lane and Welham Road (District 4)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	137
APPROVED BY MAYOR: 03/03/1995		JOURNAL PAGE:	235
		ADOPTED:	02/27/1995
37	SPONSORED BY: Councillor Schneider		
DIGEST: amending the Code by authorizing a yield sign for Kenwood Avenue and Kenwood Court (District 3)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	138
APPROVED BY MAYOR: 03/03/1995		JOURNAL PAGE:	236
		ADOPTED:	02/27/1995
38	SPONSORED BY: Councillor Rhodes		
DIGEST: amending the Code by authorizing a multi-way stop for Cranbrook Drive and Huntington Road (District 7)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	139
APPROVED BY MAYOR: 03/03/1995		JOURNAL PAGE:	236
		ADOPTED:	02/27/1995
39	SPONSORED BY: Councillor Rhodes		
DIGEST: amending the Code by authorizing a multi-way stop for Haverhill Drive and Merriam Road (District 7)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	140
APPROVED BY MAYOR: 03/03/1995		JOURNAL PAGE:	237
		ADOPTED:	02/27/1995
40	SPONSORED BY: Councillor Rhodes		
DIGEST: amending the Code by authorizing a multi-way stop for 58th Street and Tacoma Avenue (District 7)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	141
APPROVED BY MAYOR: 03/03/1995		JOURNAL PAGE:	237
		ADOPTED:	02/27/1995
41	SPONSORED BY: Councillor Golc		
DIGEST: amending the Code by authorizing a traffic signal for Reilly Industries at Gate 6 (3450 W) on Minnesota Street (District 17)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	142
APPROVED BY MAYOR: 03/03/1995		JOURNAL PAGE:	238
		ADOPTED:	02/27/1995
42	SPONSORED BY: Councillor Black		
DIGEST: amending the Code by authorizing a multi-way stop at Winthrop Avenue and 44th Street (District 6)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	177
APPROVED BY MAYOR: 03/27/1995		JOURNAL PAGE:	280
		ADOPTED:	03/20/1995

1995 General Ordinance Index

43	SPONSORED BY: Councillor Coughenour		
	DIGEST: amending the Revised Code by adding a new Chapter 295, Contracting Requirements		
	REFERRED TO: Rules and Public Policy Committee	PROPOSAL NO:	560
	APPROVED BY MAYOR: 03/27/1995	JOURNAL PAGE:	282
		ADOPTED:	03/20/1995
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44	SPONSORED BY: Councillors Rhodes, McClamroch		
	DIGEST: requesting the Metropolitan Development Commission to initiate and adopt amendments to the Dwelling District Zoning Ordinance to prohibit residential group homes for the mentally ill from locating within 3000 feet of another such facility		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO:	590
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE:	306
		ADOPTED:	04/10/1995
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45	SPONSORED BY: Councillor Coughenour		
	DIGEST: amending Sec. 13-1 of the Code by making technical amendments regarding solid waste collection		
	REFERRED TO: Public Works Committee	PROPOSAL NO:	168
	APPROVED BY MAYOR: 04/17/1995	JOURNAL PAGE:	307
		ADOPTED:	04/10/1995
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46	SPONSORED BY: Councillor Hinkle		
	DIGEST: authorizes stop signs for the Parc Estates North subdivision (District 18)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	199
	APPROVED BY MAYOR: 04/17/1995	JOURNAL PAGE:	314
		ADOPTED:	04/10/1995
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47	SPONSORED BY: Councillor Hinkle		
	DIGEST: authorizes stop signs for Sunningdale Commons subdivision, Sections 1 and 2 (District 18)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	200
	APPROVED BY MAYOR: 04/17/1995	JOURNAL PAGE:	315
		ADOPTED:	04/10/1995
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48	SPONSORED BY: Councillor Gilmer		
	DIGEST: authorizes stop signs for Hunters Green subdivision, Section 1 (District 1)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	201
	APPROVED BY MAYOR: 04/17/1995	JOURNAL PAGE:	315
		ADOPTED:	04/10/1995
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49	SPONSORED BY: Councillor Mullin		
	DIGEST: authorizes a multi-way stop at Boyd Avenue and North Avenue (District 20)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	202
	APPROVED BY MAYOR: 04/17/1995	JOURNAL PAGE:	316
		ADOPTED:	04/10/1995
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50	SPONSORED BY: Councillor Dowden		
	DIGEST: authorizes a multi-way stop at Camelback Drive and Buckskin Drive (District 4)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	204
	APPROVED BY MAYOR: 04/17/1995	JOURNAL PAGE:	316
		ADOPTED:	04/10/1995
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51	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at Butler Avenue and 13th Street (District 18)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	205
	APPROVED BY MAYOR: 04/17/1995	JOURNAL PAGE:	317
		ADOPTED:	04/10/1995

1995 General Ordinance Index

52	SPONSORED BY: Councillor Beadling		
DIGEST: authorizes a multi-way stop at Grace Terrace and La Habra Lane (District 5)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO: 206	
APPROVED BY MAYOR: 04/17/1995		JOURNAL PAGE: 317	ADOPTED: 04/10/1995
53	SPONSORED BY: Councillors Black, Gray, Williams		
DIGEST: authorizes parking restrictions on the west side of Capitol Avenue from 38th Street to 21st Street (Districts 6, 9, 22)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO: 209	
APPROVED BY MAYOR: 04/17/1995		JOURNAL PAGE: 318	ADOPTED: 04/10/1995
54	SPONSORED BY: Councillor Brents		
DIGEST: authorizes parking restrictions on a segment of Delaware Street at Michigan Street (District 16)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO: 210	
APPROVED BY MAYOR: 04/17/1995		JOURNAL PAGE: 319	ADOPTED: 04/10/1995
55	SPONSORED BY: Councillor Brents		
DIGEST: authorizes parking restrictions on Michigan Street from Holmes Avenue to Miley Avenue, and on Michigan Street from Miley Avenue to White River Parkway West Drive (District 16)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO: 211	
APPROVED BY MAYOR: 04/17/1995		JOURNAL PAGE: 319	ADOPTED: 04/10/1995
56	SPONSORED BY: Councillor Coughenour		
DIGEST: amending the Code by authorizing a traffic signal at Madison Avenue and Preddy Drive (District 24)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO: 491	
APPROVED BY MAYOR: 04/17/1995		JOURNAL PAGE: 313	ADOPTED: 04/10/1995
57	SPONSORED BY: Councillor Beadling		
DIGEST: adopts a new Wellfield Protection Zoning Ordinance for Marion County, further restricting land uses to protect the ground water/aquifer resources of specifically delineated areas of Marion County			
REFERRED TO: Metropolitan Development Committee		PROPOSAL NO: 190	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 342	ADOPTED: 04/24/1995
58	SPONSORED BY: Councillor West		
DIGEST: amends the Comprehensive Zoning Maps of Marion County by updating base maps numbers 2, 14, 28, 47, 50, and 51 (95-AO-5)			
REFERRED TO: Metropolitan Development Committee		PROPOSAL NO: 229	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 365	ADOPTED: 04/24/1995
59	SPONSORED BY: Councillor West		
DIGEST: amending Sec. 536-201 of the Revised Code to revise the exemptions permitting certain construction activities in floodways			
REFERRED TO: Metropolitan Development Committee		PROPOSAL NO: 251	
APPROVED BY MAYOR: 05/01/1995		JOURNAL PAGE: 366	ADOPTED: 04/24/1995

1995 General Ordinance Index

60	SPONSORED BY: Councillor Williams		
DIGEST: authorizes traffic signals at Senate Boulevard and the entrance to Methodist Hospital (District 22)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	239
APPROVED BY MAYOR: 05/01/1995		JOURNAL PAGE:	373
		ADOPTED:	04/24/1995
61	SPONSORED BY: Councillor Williams		
DIGEST: authorizes stop signs at Oriental Street and 11th Street (District 22)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	240
APPROVED BY MAYOR: 05/01/1995		JOURNAL PAGE:	373
		ADOPTED:	04/24/1995
62	SPONSORED BY: Councillor Williams		
DIGEST: authorizes a multi-way stop at Arsenal Avenue and 12th Street (District 22)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	241
APPROVED BY MAYOR: 05/01/1995		JOURNAL PAGE:	373
		ADOPTED:	04/24/1995
63	SPONSORED BY: Councillor Rhodes		
DIGEST: authorizes a multi-way stop at Briarwood Drive and Sylvan Ridge Drive (District 7)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	242
APPROVED BY MAYOR: 05/01/1995		JOURNAL PAGE:	374
		ADOPTED:	04/24/1995
64	SPONSORED BY: Councillor Black		
DIGEST: changes the intersection controls at Park Avenue and 44th Street (District 6)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	244
APPROVED BY MAYOR: 05/01/1995		JOURNAL PAGE:	374
		ADOPTED:	04/24/1995
65	SPONSORED BY: Councillor Gilmer		
DIGEST: reduces the speed limit on 86th Street from Lafayette Road to I-465 (District 1)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	245
APPROVED BY MAYOR: 05/01/1995		JOURNAL PAGE:	375
		ADOPTED:	04/24/1995
66	SPONSORED BY: Councillor Gilmer		
DIGEST: increases the speed limit on 46th Street from Raceway Road to McCurdy Road (District 1)			
REFERRED TO: Capital Asset Management Committee		PROPOSAL NO:	246
APPROVED BY MAYOR: 05/01/1995		JOURNAL PAGE:	375
		ADOPTED:	04/24/1995
67	SPONSORED BY: Councillor Giffin		
DIGEST: repeals the White River Greenway Development Board and establishes an Indianapolis Greenways Development Committee			
REFERRED TO: Parks and Recreation Committee		PROPOSAL NO:	63
APPROVED BY MAYOR: 05/12/1995		JOURNAL PAGE:	389
		ADOPTED:	05/08/1995
68	SPONSORED BY: Councillor Giffin		
DIGEST: amends public hearing requirements with respect to disposal of certain land by the Indianapolis Department of Parks and Recreation			
REFERRED TO: Parks and Recreation Committee		PROPOSAL NO:	191
APPROVED BY MAYOR: 05/12/1995		JOURNAL PAGE:	394
		ADOPTED:	05/08/1995

1995 General Ordinance Index

69	SPONSORED BY: Councillors Shambaugh, Dowden		
DIGEST:	repealing Sec. 17-192 of the Code so as to require licensing of amusement machines located on premises controlled by holders of Alcoholic Beverage permits and by benevolent, religious, educational, civic, patriotic, fraternal and philanthropic organizations beginning July 1, 1995		
REFERRED TO:	Administration and Finance Committee	PROPOSAL NO:	163
APPROVED BY MAYOR:	05/26/1995	JOURNAL PAGE:	417
		ADOPTED:	05/22/1995
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70	SPONSORED BY: Councillor Black		
DIGEST:	prohibits parking on both sides of 39th Street from Illinois Street to Meridian Street (District 6)		
REFERRED TO:	Capital Asset Management Committee	PROPOSAL NO:	286
APPROVED BY MAYOR:	05/26/1995	JOURNAL PAGE:	421
		ADOPTED:	05/22/1995
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71	SPONSORED BY: Councillor Gilmer		
DIGEST:	authorizes stop signs for the Huntington Pointe subdivision (District 1)		
REFERRED TO:	Capital Asset Management Committee	PROPOSAL NO:	276
APPROVED BY MAYOR:	05/26/1995	JOURNAL PAGE:	422
		ADOPTED:	05/22/1995
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72	SPONSORED BY: Councillor Gilmer		
DIGEST:	authorizes intersection controls for the Huntington Estates subdivision (District 1)		
REFERRED TO:	Capital Asset Management Committee	PROPOSAL NO:	277
APPROVED BY MAYOR:	05/26/1995	JOURNAL PAGE:	422
		ADOPTED:	05/22/1995
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73	SPONSORED BY: Councillor Gilmer		
DIGEST:	authorizes stop signs for the Huntington Ridge subdivision (District 1)		
REFERRED TO:	Capital Asset Management Committee	PROPOSAL NO:	278
APPROVED BY MAYOR:	05/26/1995	JOURNAL PAGE:	423
		ADOPTED:	05/22/1995
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74	SPONSORED BY: Councillor Hinkle		
DIGEST:	authorizes a multi-way stop at Wilshire Glen Drive and Cardiff Lane in the Wilshire Glen subdivision (District 18)		
REFERRED TO:	Capital Asset Management Committee	PROPOSAL NO:	279
APPROVED BY MAYOR:	05/26/1995	JOURNAL PAGE:	423
		ADOPTED:	05/22/1995
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75	SPONSORED BY: Councillor Borst		
DIGEST:	authorizes a multi-way stop at Banta Road and Harding Street (District 25)		
REFERRED TO:	Capital Asset Management Committee	PROPOSAL NO:	280
APPROVED BY MAYOR:	05/26/1995	JOURNAL PAGE:	424
		ADOPTED:	05/22/1995
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76	SPONSORED BY: Councillor Short		
DIGEST:	authorizes a multi-way stop at Hoyt Avenue and Spruce Street (District 21)		
REFERRED TO:	Capital Asset Management Committee	PROPOSAL NO:	281
APPROVED BY MAYOR:	05/26/1995	JOURNAL PAGE:	424
		ADOPTED:	05/22/1995
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77	SPONSORED BY: Councillor Giffin		
DIGEST:	authorizes a traffic signal at Hanna Avenue and Kentucky Avenue (District 19)		
REFERRED TO:	Capital Asset Management Committee	PROPOSAL NO:	283
APPROVED BY MAYOR:	05/26/1995	JOURNAL PAGE:	425
		ADOPTED:	05/22/1995

1995 General Ordinance Index

78	SPONSORED BY: Councillors Ruhmkorff, O'Dell		
	DIGEST: authorizes a traffic signal at Washington Street and Sadlier Drive (Districts 12, 13)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 284	
	APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 426	ADOPTED: 05/22/1995	
79	SPONSORED BY: Councillor Black		
	DIGEST: prohibits parking on College Avenue from 100 feet south of 40th Street to 100 feet north of 40th Street (District 6)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 285	
	APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 426	ADOPTED: 05/22/1995	
80	SPONSORED BY: Councillor Gilmer		
	DIGEST: changes the speed limit for 82nd Street from Lafayette Road to County Line Road (District 1)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 287	
	APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 427	ADOPTED: 05/22/1995	
81	SPONSORED BY: Councillor Brents		
	DIGEST: authorizes a passenger and material loading zone on Pearl Street west of Pennsylvania Street (District 16)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 208	
	APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 461	ADOPTED: 06/12/1995	
82	SPONSORED BY: Councillor SerVaas		
	DIGEST: authorizes intersection controls for the Robertson Village subdivision (District 2)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 316	
	APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 462	ADOPTED: 06/12/1995	
83	SPONSORED BY: Councillor SerVaas		
	DIGEST: authorizes stop signs at 44th Street and Paula Lane East Drive (District 2)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 317	
	APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 463	ADOPTED: 06/12/1995	
84	SPONSORED BY: Councillor Gray		
	DIGEST: authorizes multi-way stops at Deer Creek Avenue and Deer Creek Drive and at Deer Creek Drive, McCarty Court and Callan Drive (District 9)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 318	
	APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 463	ADOPTED: 06/12/1995	
85	SPONSORED BY: Councillor Black		
	DIGEST: authorizes a multi-way stop at 44th Street and Park Avenue (District 6)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 319	
	APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 464	ADOPTED: 06/12/1995	
86	SPONSORED BY: Councillor Rhodes		
	DIGEST: authorizes a multi-way stop at 53rd Street and Guilford Avenue (District 7)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 321	
	APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 464	ADOPTED: 06/12/1995	

1995 General Ordinance Index

87	SPONSORED BY: Councillors Rhodes, Black		
	DIGEST: authorizes a multi way stop at 51st Street and Park Avenue (District 7)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	322
	APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 465	ADOPTED:	06/12/1995
88	SPONSORED BY: Councillor Mullin		
	DIGEST: authorizes a multi-way stop at Delaware Street and Griffin Road (District 20)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	323
	APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 465	ADOPTED:	06/12/1995
89	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at Wallace Avenue and 13th Street (District 15)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	324
	APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 466	ADOPTED:	06/12/1995
90	SPONSORED BY: Councillor Smith		
	DIGEST: authorizes a multi-way stop at Sleet Drive and Somers Drive (District 23)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	325
	APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 467	ADOPTED:	06/12/1995
91	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizing a multi way stop at Hawthorne Lane and 18th Street (District 15)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	349
	APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 467	ADOPTED:	06/12/1995
92	SPONSORED BY: Councillor Brents		
	DIGEST: removes parking restrictions on Dr. Martin Luther King Jr. Street on the east side from 10th Street to 11th Street (District 16)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	326
	APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 468	ADOPTED:	06/12/1995
93	SPONSORED BY: Councillor Rhodes		
	DIGEST: allows the use of benefit leave time by County employees prior to its accrual		
	REFERRED TO: Administration and Finance Committee	PROPOSAL NO:	232
	APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 497	ADOPTED:	06/26/1995
94	SPONSORED BY: Councillor West		
	DIGEST: amends the Comprehensive Zoning Maps of Marion County by updating base maps #9, #22, #26, and #27		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO:	365
	APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 500	ADOPTED:	06/26/1995
95	SPONSORED BY: Councillor Smith		
	DIGEST: allows changes in salary schedules of County employees to become effective at other times than at beginning of a fiscal year		
	REFERRED TO: Administration and Finance Committee	PROPOSAL NO:	367
	APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 501	ADOPTED:	06/26/1995

1995 General Ordinance Index

96 SPONSORED BY: Councillor Dowden
DIGEST: amends the Revised Code concerning the Public Defender Board and Agency to conform to the comprehensive plan adopted by the Board
REFERRED TO: Public Works Committee PROPOSAL NO: 397
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 508 ADOPTED: 06/26/1995

97 SPONSORED BY: Councillor West
DIGEST: amends the Dwelling Districts Zoning Ordinance to provide for a 3000 foot separation between group homes for the mentally ill
REFERRED TO: Metropolitan Development Committee PROPOSAL NO: 413
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 481 ADOPTED: 06/26/1995

98 SPONSORED BY: Councillors Gilmer, Gray
DIGEST: authorizes traffic signals at Kessler Boulevard and the two 38th Street ramps (Districts 2, 9)
REFERRED TO: Capital Asset Management Committee PROPOSAL NO: 379
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 513 ADOPTED: 06/26/1995

99 SPONSORED BY: Councillor Smith
DIGEST: authorizes stop signs for the Spring Oaks Subdivision - Section One (District 23)
REFERRED TO: Capital Asset Management Committee PROPOSAL NO: 380
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 514 ADOPTED: 06/26/1995

100 SPONSORED BY: Councillor Borst
DIGEST: authorizes stop signs for the Village of Orchard Park subdivision (District 25)
REFERRED TO: Capital Asset Management Committee PROPOSAL NO: 381
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 514 ADOPTED: 06/26/1995

101 SPONSORED BY: Councillor Moriarty Adams
DIGEST: authorizes a multi-way stop at Riley Avenue and 19th Street (District 15)
REFERRED TO: Capital Asset Management Committee PROPOSAL NO: 382
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 515 ADOPTED: 06/26/1995

102 SPONSORED BY: Councillor Beadling
DIGEST: authorizes a multi-way stop at Anchor Bay Court, Anchor Bay Drive, and Old Stone Drive (District 5)
REFERRED TO: Capital Asset Management Committee PROPOSAL NO: 383
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 515 ADOPTED: 06/26/1995

103 SPONSORED BY: Councillor Rhodes
DIGEST: authorizes multi-way stops at Ralston Avenue and Randall Road, and at 75th Street and Ralston Avenue (District 7)
REFERRED TO: Capital Asset Management Committee PROPOSAL NO: 384
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 516 ADOPTED: 06/26/1995

104 SPONSORED BY: Councillor Rhodes
DIGEST: authorizes a multi-way stop at Norwaldo Avenue and 61st Street (District 7)
REFERRED TO: Capital Asset Management Committee PROPOSAL NO: 385
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 517 ADOPTED: 06/26/1995

1995 General Ordinance Index

105 SPONSORED BY: Councillor Short

DIGEST: authorizes a multi-way stop at State Avenue and Walker Avenue (District 21)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 386

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 517

ADOPTED: 06/26/1995

106 SPONSORED BY: Councillor Smith

DIGEST: authorizes a multi-way stop at Combs Road and Stop 11 Road (District 23)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 387

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 518

ADOPTED: 06/26/1995

107 SPONSORED BY: Councillor Smith

DIGEST: authorizes a multi-way stop at Hickory Road and Indian Creek Road South (District 23)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 388

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 518

ADOPTED: 06/26/1995

108 SPONSORED BY: Councillor Williams

DIGEST: prohibits parking on the southeast and northwest corners of College Avenue and 24th Street (District 22)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 390

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 519

ADOPTED: 06/26/1995

109 SPONSORED BY: Councillor Moriarty Adams

DIGEST: prohibits parking on the northwest corner of 10th Street at Emerson Avenue, and on the west side of Emerson Avenue from 10th Street to 11th Street (District 15)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 391

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 520

ADOPTED: 06/26/1995

110 SPONSORED BY: Councillors Black, Williams

DIGEST: prohibits parking on Washington Boulevard north and south of 32nd Street (Districts 6, 22)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 392

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 520

ADOPTED: 06/26/1995

111 SPONSORED BY: Councillor Brents

DIGEST: changes North Street from Canal Bridge to Senate Avenue from a one-way street to a two-way street (District 16)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 393

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 521

ADOPTED: 06/26/1995

112 SPONSORED BY: Councillor Rhodes

DIGEST: prohibiting the use of skateboards in the Broad Ripple business district

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 265

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 541

ADOPTED: 07/17/1995

113 SPONSORED BY: Councillor Gilmer

DIGEST: consolidates the Ordinance Violations Bureau and the Revenue Enhancement Division within the Office of Corporation Counsel

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 338

APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 573

ADOPTED: 08/01/1995

1995 General Ordinance Index

114	SPONSORED BY: Councillor Coughenour DIGEST: establishes increased penalties for air pollution control violations REFERRED TO: Public Works Committee APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 579	PROPOSAL NO: 446 ADOPTED: 08/01/1995
115	SPONSORED BY: Councillor Dowden DIGEST: authorizes intersection controls in the East Avalon Hills area (District 4) REFERRED TO: Capital Asset Management Committee APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 584	PROPOSAL NO: 448 ADOPTED: 08/01/1995
116	SPONSORED BY: Councillor Gilmer DIGEST: authorizes a stop sign for the Chestnut Hills subdivision (District 1) REFERRED TO: Capital Asset Management Committee APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 584	PROPOSAL NO: 449 ADOPTED: 08/01/1995
117	SPONSORED BY: Councillor Gilmer DIGEST: authorizes multi-way stops for the Eagle Creek North subdivision (District 1) REFERRED TO: Capital Asset Management Committee APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 584	PROPOSAL NO: 450 ADOPTED: 08/01/1995
118	SPONSORED BY: Councillor Gilmer DIGEST: authorizes multi-way stops at Arabian Run and Duffer Circle, and at Arabian Run and Kinnett Lane (Districts 2, 9) REFERRED TO: Capital Asset Management Committee APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 585	PROPOSAL NO: 451 ADOPTED: 08/01/1995
119	SPONSORED BY: Councillor Moriarty Adams DIGEST: authorizes a multi-way stop at 14th Street and Bosart Avenue (District 15) REFERRED TO: Capital Asset Management Committee APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 586	PROPOSAL NO: 452 ADOPTED: 08/01/1995
120	SPONSORED BY: Councillor Schneider DIGEST: authorizes a multi-way stop at Kilmer Lane and Susan Drive South (District 3) REFERRED TO: Capital Asset Management Committee APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 586	PROPOSAL NO: 453 ADOPTED: 08/01/1995
121	SPONSORED BY: Councillor Black DIGEST: authorizes a multi-way stop at 48th Street and Park Avenue (District 6) REFERRED TO: Capital Asset Management Committee APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 587	PROPOSAL NO: 454 ADOPTED: 08/01/1995
122	SPONSORED BY: Councillor Dowden DIGEST: authorizes a multi-way stop at Rolling Ridge Road and Winding Way Lane (District 4) REFERRED TO: Capital Asset Management Committee APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 587	PROPOSAL NO: 455 ADOPTED: 08/01/1995

1995 General Ordinance Index

123	SPONSORED BY: Councillors Coughenour, Mullin		
	DIGEST: authorizes a multi-way stop at State Avenue and National Avenue (Districts 20, 24)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 456	
	APPROVED BY MAYOR: 08/04/1995	JOURNAL PAGE: 588	ADOPTED: 08/01/1995
124	SPONSORED BY: Councillor Williams		
	DIGEST: authorizes a multi-way stop at Alabama Street and St. Joseph Street (District 22)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 457	
	APPROVED BY MAYOR: 08/04/1995	JOURNAL PAGE: 588	ADOPTED: 08/01/1995
125	SPONSORED BY: Councillor SerVaas		
	DIGEST: authorizes a multi-way stop at Glen Coe Drive and 63rd Street (District 2)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 458	
	APPROVED BY MAYOR: 08/04/1995	JOURNAL PAGE: 589	ADOPTED: 08/01/1995
126	SPONSORED BY: Councillors SerVaas, Rhodes		
	DIGEST: authorizes a one-way east bound on Westfield Boulevard from College Avenue to Guilford Avenue (Districts 2, 7)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 460	
	APPROVED BY MAYOR: 08/04/1995	JOURNAL PAGE: 595	ADOPTED: 08/01/1995
127	SPONSORED BY: Councillors Gilmer, Gray		
	DIGEST: authorizes a 35 mph speed limit for 59th Street from Moller Road to Guion Road (Districts 1, 9)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 461	
	APPROVED BY MAYOR: 08/04/1995	JOURNAL PAGE: 595	ADOPTED: 08/01/1995
128	SPONSORED BY: Councillor Curry		
	DIGEST: recodifies the cable television regulations		
	REFERRED TO: Rules and Public Policy Committee	PROPOSAL NO: 414	
	APPROVED BY MAYOR: 09/01/1995	JOURNAL PAGE: 626	ADOPTED: 08/28/1995
129	SPONSORED BY: Councillor Smith		
	DIGEST: authorizes a multi-way stop at Fairlane West Drive and Indian Creek Road South (District 23)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 389	
	APPROVED BY MAYOR: 09/01/1995	JOURNAL PAGE: 750	ADOPTED: 08/28/1995
130	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at Wallace Avenue and Walnut Street (District 15)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 492	
	APPROVED BY MAYOR: 09/01/1995	JOURNAL PAGE: 750	ADOPTED: 08/28/1995
131	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at Euclid Avenue and 15th Street (District 15)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 493	
	APPROVED BY MAYOR: 09/01/1995	JOURNAL PAGE: 751	ADOPTED: 08/28/1995

1995 General Ordinance Index

132 SPONSORED BY: Councillor Hinkle

DIGEST: changes building permit requirements requested by the Federal Emergency Management Administration relative to Floodway areas; and changes terms from one year to two years for (1) listing of general contractors; (2) licensure of craft contractors; and (3) registration of plumbers

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 231

APPROVED BY MAYOR: 09/15/1995 JOURNAL PAGE: 766

ADOPTED: 09/11/1995

133 SPONSORED BY: Councillor West

DIGEST: amends the Comprehensive Zoning Maps of Marion County by updating base maps #4, #23, #24, and to correct mapping errors on base maps #14D, #18C, #28C, and #35B

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 477

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 802

ADOPTED: 09/11/1995

134 SPONSORED BY: Councillor Coughenour

DIGEST: moves responsibility for management of abandoned vehicles from the Department of Public Works, Solid Waste Management Division, to the Contract Compliance Division

REFERRED TO: Public Works Committee

PROPOSAL NO: 587

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 994

ADOPTED: 10/16/1995

135 SPONSORED BY: Councillor Rhodes

DIGEST: licensure of public pay telephones

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 615

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 997

ADOPTED: 10/16/1995

136 SPONSORED BY: Councillor McClamroch

DIGEST: establishes a county general fund emergency reserve account

REFERRED TO: Rules and Public Policy Committee

PROPOSAL NO: 654

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1003

ADOPTED: 10/16/1995

137 SPONSORED BY: Councillors Coughenour, Smith

DIGEST: authorizes a traffic signal at Shelbyville Road and Emerson Avenue (Districts 23, 24)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 533

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1005

ADOPTED: 10/16/1995

138 SPONSORED BY: Councillor Golc

DIGEST: authorizes a traffic signal for Lilly Technology Center West Driveway located at 1530 South at Harding Street (District 17)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 534

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1005

ADOPTED: 10/16/1995

139 SPONSORED BY: Councillor Brents

DIGEST: authorizes a traffic signal at St. Clair Street and Dr. Martin Luther King Jr. Street

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 535

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1006

ADOPTED: 10/16/1995

1995 General Ordinance Index

140	SPONSORED BY: Councillors Shambaugh, Gray		
	DIGEST: authorizes a traffic signal for Kevin Way and 38th Street (Districts 8, 9)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	590
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1006
		ADOPTED:	10/16/1995
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141	SPONSORED BY: Councillors Hinkle, Giffin		
	DIGEST: authorizes a traffic signal at Morris Street and Sigsbee Street (Districts 18, 19)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	638
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1011
		ADOPTED:	10/16/1995
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142	SPONSORED BY: Councillor Brents		
	DIGEST: authorizes parking for marked police vehicles only for the southside of Market Street from Alabama Street to Delaware Street (District 16)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	494
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1008
		ADOPTED:	10/16/1995
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143	SPONSORED BY: Councillor Golc		
	DIGEST: authorizes a multi-way stop at Lyons Avenue and Ray Street (District 17)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	536
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1010
		ADOPTED:	10/16/1995
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144	SPONSORED BY: Councillor Golc		
	DIGEST: authorizes a multi-way stop at Farnsworth Street and Lyons Avenue (District 17)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	537
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1010
		ADOPTED:	10/16/1995
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145	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at 20th Street and Riley Avenue (District 15)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	538
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1011
		ADOPTED:	10/16/1995
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146	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at Bosart Avenue and St. Clair Street (District 15)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	539
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1011
		ADOPTED:	10/16/1995
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147	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at Irvington Avenue and 18th Street (District 15)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	540
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1012
		ADOPTED:	10/16/1995
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148	SPONSORED BY: Councillor Rhodes		
	DIGEST: authorizes a multi-way stop at Carrollton Avenue and 62nd Street (District 7)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	541
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1012
		ADOPTED:	10/16/1995

1995 General Ordinance Index

149 SPONSORED BY: Councillor Rhodes

DIGEST: authorizes a multi-way stop at Burlington Avenue and Maple Drive (District 7)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 542

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1013

ADOPTED: 10/16/1995

150 SPONSORED BY: Councillor Rhodes

DIGEST: authorizes a multi-way stop at 58th Street and Crestview Avenue (District 7)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 543

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1013

ADOPTED: 10/16/1995

151 SPONSORED BY: Councillor Short

DIGEST: authorizes a multi-way stop at Villa Avenue and Woodlawn Avenue (District 21)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 544

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1014

ADOPTED: 10/16/1995

152 SPONSORED BY: Councillor Brents

DIGEST: authorizes a multi-way stop at Senate Avenue and Wilkins Street (District 16)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 545

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1014

ADOPTED: 10/16/1995

153 SPONSORED BY: Councillor Gilmer

DIGEST: authorizes a multi-way stop at Diana Drive and Echo Lane (District 1)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 546

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1015

ADOPTED: 10/16/1995

154 SPONSORED BY: Councillor Gilmer

DIGEST: authorizes intersection controls for Legendary Hills subdivision (District 1)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 547

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1015

ADOPTED: 10/16/1995

155 SPONSORED BY: Councillor Gilmer

DIGEST: authorizes intersection controls for Hunters Green subdivision (District 1)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 548

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1016

ADOPTED: 10/16/1995

156 SPONSORED BY: Councillor Giffin

DIGEST: authorizes intersection controls for the Pheasant Run subdivision (District 19)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 549

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1016

ADOPTED: 10/16/1995

157 SPONSORED BY: Councillor Moriarty Adams

DIGEST: authorizes a one-way southbound on Chester Avenue from New York Street to Washington Street (District 15)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 550

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1017

ADOPTED: 10/16/1995

1995 General Ordinance Index

158 SPONSORED BY: Councillor Borst

DIGEST: authorizes weight limit restrictions for Lake Road from Wicker Road to a point 4,335 feet south of Southport Road (District 25)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 551

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1017

ADOPTED: 10/16/1995

159 SPONSORED BY: Councillor Tilford

DIGEST: authorizes stop signs for Maple Creek Country Club Estates subdivision (District 12)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 592

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1018

ADOPTED: 10/16/1995

160 SPONSORED BY: Councillor Williams

DIGEST: authorizes multi-way stops for the subdivision of Fall Creek Proper, Citizens Place (District 22)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 593

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1018

ADOPTED: 10/16/1995

161 SPONSORED BY: Councillor Hinkle

DIGEST: authorizes stop signs for Country Pointe subdivision (District 18)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 594

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1019

ADOPTED: 10/16/1995

162 SPONSORED BY: Councillor Coughenour

DIGEST: authorizes stop signs for Gray Road and Stone Mill Drive, and for Stone Mill Drive and Linwood Avenue located in the Stone Mill and Gray Hollow subdivisions (District 24)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 596

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1019

ADOPTED: 10/16/1995

163 SPONSORED BY: Councillor O'Dell

DIGEST: authorizes a multi-way stop at Butler Avenue and Julian Avenue (District 13)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 597

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1020

ADOPTED: 10/16/1995

164 SPONSORED BY: Councillor Brents

DIGEST: authorizes a multi-way stop at 18th Street and Alton Avenue (District 16)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 598

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1020

ADOPTED: 10/16/1995

165 SPONSORED BY: Councillor Rhodes

DIGEST: authorizes a multi-way stop at 58th Street and Guilford Avenue (District 7)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 599

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1021

ADOPTED: 10/16/1995

166 SPONSORED BY: Councillor Jones

DIGEST: authorizes a stop sign at 29th Street and Wheeler Street (District 10)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 639

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1011

ADOPTED: 10/16/1995

1995 General Ordinance Index

167	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at 9th Street and Dequincy Street (District 15)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	640
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1021
		ADOPTED:	10/16/1995
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168	SPONSORED BY: Councillor Golc		
	DIGEST: authorizes a multi-way stop at 12th Street and Rochester Avenue (District 17)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	641
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1022
		ADOPTED:	10/16/1995
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169	SPONSORED BY: Councillor Brents		
	DIGEST: authorizes a multi-way stop at 12th Street and Sharon Avenue (District 16)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	642
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1022
		ADOPTED:	10/16/1995
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170	SPONSORED BY: Councillor Short		
	DIGEST: authorizes a multi-way stop at Bradbury Avenue and Walker Avenue (District 21)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	643
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1023
		ADOPTED:	10/16/1995
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171	SPONSORED BY: Councillor Giffin		
	DIGEST: authorizes a multi-way stop at Porter Street and Conaroe Street (District 19)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	644
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1023
		ADOPTED:	10/16/1995
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172	SPONSORED BY: Councillor Schneider		
	DIGEST: authorizes a multi-way stop at Naab Road and Dugan Drive (District 3)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	645
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1024
		ADOPTED:	10/16/1995
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173	SPONSORED BY: Councillor Gilmer		
	DIGEST: authorizes multi-way stops at Gateway Drive and Vinewood Avenue, and at Gateway Drive and Westhaven Drive (District 1)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	646
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1024
		ADOPTED:	10/16/1995
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174	SPONSORED BY: Councillor Borst		
	DIGEST: authorizes a multi-way stop at Stop 11 Road and Railroad Road (District 25)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	647
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1025
		ADOPTED:	10/16/1995
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175	SPONSORED BY: Councillor Golc		
	DIGEST: authorizes a multi-way stop at Lyons Avenue and Farnsworth Street (District 17)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO:	648
	APPROVED BY MAYOR: 10/20/1995	JOURNAL PAGE:	1026
		ADOPTED:	10/16/1995
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1995 General Ordinance Index

176 SPONSORED BY: Councillor Jimison

DIGEST: authorizes a multi-way stop at Meadowlark Drive and Sheridan Avenue (District 14)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 649

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1026

ADOPTED: 10/16/1995

177 SPONSORED BY: Councillor Moriarty Adams

DIGEST: authorizes a multi-way stop at Drexel Avenue and Stratford Avenue (District 15)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 650

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1027

ADOPTED: 10/16/1995

178 SPONSORED BY: Councillor Brents

DIGEST: authorizes one-way traffic flow southbound on McCrea Street from Georgia Street to Louisiana Street (District 16)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 652

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1027

ADOPTED: 10/16/1995

179 SPONSORED BY: Councillor Golc

DIGEST: authorizes speed restrictions on Rockville Road from Interstate 465 to Holt Road (District 17)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 552

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1028

ADOPTED: 10/16/1995

181 SPONSORED BY: Councillor Curry

DIGEST: establishes the Metropolitan Emergency Communications Agency General Fund as a special, nonreverting fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 670

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1061

ADOPTED: 10/30/1995

182 SPONSORED BY: Councillor Rhodes

DIGEST: gives employees who are affected by the information technology outsourcing an additional opportunity to convert accrued sick leave to benefit leave and receive pay for it upon separation

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 520

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1067

ADOPTED: 10/30/1995

183 SPONSORED BY: Councillor West

DIGEST: amends the Comprehensive Zoning Maps of Marion County by updating base maps #1, #3, #19, and #32

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 665

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1068

ADOPTED: 10/30/1995

184 SPONSORED BY: Councillor Rhodes

DIGEST: provides for the continuation of an early retirement incentive plan for certain City employees as negotiated with AFSCME

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 666

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1070

ADOPTED: 10/30/1995

1995 General Ordinance Index

185 SPONSORED BY: Councillor Gilmer

DIGEST: clarifies that the Board of Capital Asset Management has authority over sanitary sewer construction permits

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 589

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1075

ADOPTED: 10/30/1995

186 SPONSORED BY: Councillor Brents

DIGEST: authorizes 55 degree parking on Washington Street on the south side from Alabama Street to Delaware Street (District 16)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 696

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1077

ADOPTED: 10/30/1995

187 SPONSORED BY: Councillor Williams

DIGEST: removes the parking restrictions on the west side of Delaware Street from 28th Street to 32nd Street (District 22)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 327

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1078

ADOPTED: 10/30/1995

188 SPONSORED BY: Councillor Gilmer

DIGEST: authorizes the Department of Capital Asset Management to permit Ogden Martin Systems to establish a steam line within the public right-of-way on Harding Street from 1000 feet south of Raymond Street to Kentucky Avenue

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 532

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1079

ADOPTED: 10/30/1995

189 SPONSORED BY: Councillor Hinkle

DIGEST: authorizes multi-way stops for Sunningdale Boulevard and Country Club Road (District 18)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 595

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1079

ADOPTED: 10/30/1995

190 SPONSORED BY: Councillors Boyd, Jones, Schneider

DIGEST: authorizes changes in the speed limit for Keystone Avenue from I-70 to I-465 (Districts 3, 6, 7, 10, 11)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 600

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1080

ADOPTED: 10/30/1995

191 SPONSORED BY: Councillor Gilmer

DIGEST: authorizes a traffic signal at 79th Street and Payne Road (District 1)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 686

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1081

ADOPTED: 10/30/1995

192 SPONSORED BY: Councillor Gilmer

DIGEST: authorizes multi-way stops for the intersections located in the subdivision of Coopers Pointe Sections 1 and 2 (District 1)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 687

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1081

ADOPTED: 10/30/1995

1995 General Ordinance Index

193	SPONSORED BY: Councillor Jones		
	DIGEST: authorizes a multi-way stop at Brookside Parkway North Drive and Olney Street (District 10)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 688	
	APPROVED BY MAYOR: 11/03/1995	JOURNAL PAGE: 1082	ADOPTED: 10/30/1995
194	SPONSORED BY: Councillor Williams		
	DIGEST: authorizes a multi-way stop at 26th Street and Boulevard Place (District 22)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 689	
	APPROVED BY MAYOR: 11/03/1995	JOURNAL PAGE: 1082	ADOPTED: 10/30/1995
195	SPONSORED BY: Councillor Brents		
	DIGEST: authorizes a stop sign at Talbott Street and Michigan Street (District 16)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 690	
	APPROVED BY MAYOR: 11/03/1995	JOURNAL PAGE: 1083	ADOPTED: 10/30/1995
196	SPONSORED BY: Councillor Beadling		
	DIGEST: authorizes a multi-way stop at Crescent Court and LaHabra Lane (District 5)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 691	
	APPROVED BY MAYOR: 11/03/1995	JOURNAL PAGE: 1083	ADOPTED: 10/30/1995
197	SPONSORED BY: Councillor Black		
	DIGEST: authorizes a multi-way stop at Buckingham Drive and Cornelius Avenue (District 6)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 692	
	APPROVED BY MAYOR: 11/03/1995	JOURNAL PAGE: 1084	ADOPTED: 10/30/1995
198	SPONSORED BY: Councillor Rhodes		
	DIGEST: authorizes a multi-way stop at Riverview Drive and 61st Street (District 7)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 693	
	APPROVED BY MAYOR: 11/03/1995	JOURNAL PAGE: 1084	ADOPTED: 10/30/1995
199	SPONSORED BY: Councillor Borst		
	DIGEST: authorizes parking restrictions on Thompson Road from State Road 37 to a point 2,000 feet west of State Road 37 (District 25)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 694	
	APPROVED BY MAYOR: 11/03/1995	JOURNAL PAGE: 1085	ADOPTED: 10/30/1995
200	SPONSORED BY: Councillor Brents		
	DIGEST: authorizes no parking restrictions on Meridian Street on the west side from Merrill Street to a point 100 feet south of Merrill Street (District 16)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 695	
	APPROVED BY MAYOR: 11/03/1995	JOURNAL PAGE: 1085	ADOPTED: 10/30/1995
201	SPONSORED BY: Councillor Gilmer		
	DIGEST: authorizes a 35 mph speed limit on Cooper Road from 88th Street to 96th Street (District 1)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 697	
	APPROVED BY MAYOR: 11/03/1995	JOURNAL PAGE: 1086	ADOPTED: 10/30/1995

1995 General Ordinance Index

202	SPONSORED BY: Councillor Curry		
	DIGEST: amends the Revised Code pertaining to the Information Services Board, Agency		
	REFERRED TO: Rules and Public Policy Committee	PROPOSAL NO: 727	
	APPROVED BY MAYOR: 11/28/1995	JOURNAL PAGE: 1130	ADOPTED: 11/20/1995
203	SPONSORED BY: Councillor West		
	DIGEST: amends the Special Districts Zoning Ordinance in order to comply with the State's "Development Plan Law" (95-AO-12)		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 750	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 1136	ADOPTED: 11/20/1995
204	SPONSORED BY: Councillor West		
	DIGEST: amends the Wellfield Protection Zoning Ordinance to conform with the state law regarding the appointment of a hearing officer in lieu of a board of zoning appeals (95-AO-13A)		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 751	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 1161	ADOPTED: 11/20/1995
205	SPONSORED BY: Councillor West		
	DIGEST: amends the Wellfield Protection Zoning Ordinance by extending the expiration date from July 1, 1996 to December 31, 1996 (95-AO-13B)		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 752	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 1162	ADOPTED: 11/20/1995
206	SPONSORED BY: Councillors Borst, Brents		
	DIGEST: removes traffic signal at Morris Street and Union Street (Districts 16, 25)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 729	
	APPROVED BY MAYOR: 11/28/1995	JOURNAL PAGE: 1163	ADOPTED: 11/20/1995
207	SPONSORED BY: Councillor Borst		
	DIGEST: removes traffic signal at Palmer Street and Union Street (District 25)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 730	
	APPROVED BY MAYOR: 11/28/1995	JOURNAL PAGE: 1164	ADOPTED: 11/20/1995
208	SPONSORED BY: Councillor Rhodes		
	DIGEST: authorizes a multi-way stop at 68th Street and Riley Avenue (District 7)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 732	
	APPROVED BY MAYOR: 11/28/1995	JOURNAL PAGE: 1165	ADOPTED: 11/20/1995
209	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: authorizes a multi-way stop at Brookville Road and Worcester Avenue (District 15)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 733	
	APPROVED BY MAYOR: 11/28/1995	JOURNAL PAGE: 1165	ADOPTED: 11/20/1995
210	SPONSORED BY: Councillor Short		
	DIGEST: authorizes a multi-way stop at Caven Street and Kennington Street (District 21)		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 734	
	APPROVED BY MAYOR: 11/28/1995	JOURNAL PAGE: 1166	ADOPTED: 11/20/1995

1995 General Ordinance Index

- 211 SPONSORED BY: Councillor Moriarty Adams
DIGEST: authorizes a multi-way stop at Drexel Avenue and 13th Street (District 15)
REFERRED TO: Capital Asset Management Committee PROPOSAL NO: 735
APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1166 ADOPTED: 11/20/1995
-
- 212 SPONSORED BY: Councillors Brent, Shambaugh, Gray, Gilmer
DIGEST: authorizes parking restrictions on Lafayette Road on both sides from 16th Street to I-65 (Districts 16, 8, 9, 1)
REFERRED TO: Capital Asset Management Committee PROPOSAL NO: 736
APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1167 ADOPTED: 11/20/1995
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- 213 SPONSORED BY: Councillor Williams
DIGEST: removes parking restrictions on Alabama Street from a point 70 feet south of St. Joseph Street to a point 50 feet north of St. Joseph Street (District 22)
REFERRED TO: Capital Asset Management Committee PROPOSAL NO: 737
APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1167 ADOPTED: 11/20/1995
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- 214 SPONSORED BY: Councillor Dowden
DIGEST: revises provisions for registration of private emergency alarm systems and penalties for false alarm violations
REFERRED TO: Public Safety and Criminal Justice Committee PROPOSAL NO: 378
APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1207 ADOPTED: 12/11/1995
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- 215 SPONSORED BY: Councillors Rhodes, Borst
DIGEST: concerns leasing of right-of-way for vending from carts and stands, replaces current system of licensing carts, and recodifies other relevant provisions
REFERRED TO: Administration and Finance Committee PROPOSAL NO: 484
APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1215 ADOPTED: 12/11/1995
-
- 216 SPONSORED BY: Councillor West
DIGEST: amends the Comprehensive Zoning Maps of Marion County by updating base maps #7, #8, #10, and #15
REFERRED TO: Metropolitan Development Committee PROPOSAL NO: 784
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1236 ADOPTED: 12/11/1995
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- 217 SPONSORED BY: Councillor Gilmer
DIGEST: empowering the Board of Capital Asset Management to promulgate rules and regulations concerning the administration of public construction contracts
REFERRED TO: Capital Asset Management Committee PROPOSAL NO: 531
APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1237 ADOPTED: 12/11/1995
-
- 218 SPONSORED BY: Councillor Gilmer
DIGEST: permits additional materials for right-of-way restoration
REFERRED TO: Capital Asset Management Committee PROPOSAL NO: 728
APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1239 ADOPTED: 12/11/1995
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1995 General Ordinance Index

219 SPONSORED BY: Councillor O'Dell

DIGEST: authorizes multi-way stops for the intersections in the Forest Creek subdivision, Sections 1 and 2 (District 13)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 731

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1245

ADOPTED: 12/11/1995

220 SPONSORED BY: Councillor Rhodes

DIGEST: authorizes a multi-way stop at Crittenden Avenue and 61st Street (District 7)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 765

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1245

ADOPTED: 12/11/1995

221 SPONSORED BY: Councillor Rhodes

DIGEST: authorizes a multi-way stop at Rural Street and 72nd Street (District 7)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 766

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1246

ADOPTED: 12/11/1995

222 SPONSORED BY: Councillor Rhodes

DIGEST: authorizes a multi-way stop at Tacoma Avenue and 72nd Street (District 7)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 767

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1246

ADOPTED: 12/11/1995

223 SPONSORED BY: Councillor Moriarty Adams

DIGEST: authorizes a multi-way stop at North Street and Oakland Avenue (District 15)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 768

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1247

ADOPTED: 12/11/1995

224 SPONSORED BY: Councillor Moriarty Adams

DIGEST: authorizes a multi-way stop at North Street and Parker Avenue (District 15)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 769

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1247

ADOPTED: 12/11/1995

225 SPONSORED BY: Councillor Tilford

DIGEST: authorizes a multi-way stop at Shortridge Road and 13th Street (District 12)

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 770

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1248

ADOPTED: 12/11/1995

1995 Fiscal Ordinance Index

1 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation from the County General Fund in the amount of \$437,812 for the County Auditor to fund the cost of the redevelopment of the property tax financial system financed by unappropriated revenues in the County General Fund

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 55

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 176

ADOPTED: 02/27/1995

2 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation from the Information Services Internal Services Fund in the amount of \$437,812 for the Information Services Agency to fund the cost of the redevelopment of the property tax financial system financed by revenues from that fund

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 56

APPROVED BY MAYOR: 03/03/1995

JOURNAL PAGE: 177

ADOPTED: 02/27/1995

3 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$329,476 for the Prosecuting Attorney, Marion County Public Defender Agency, Court Administrator Agency, and the County Auditor to fund the Expedited Trial Program which is a joint effort to reduce the population at the Marion County Jail financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 70

APPROVED BY MAYOR: 03/03/1995

JOURNAL PAGE: 180

ADOPTED: 02/27/1995

4 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Drug Free Community Fund in the amount of \$230,000 for the Court Administrator Agency, Marion County Public Defender Agency, Prosecuting Attorney, and the County Auditor to provide the matching funds required by the grant awarded for the Expedited Trial Program financed by revenues from the Drug Free Community Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 71

APPROVED BY MAYOR: 03/03/1995

JOURNAL PAGE: 182

ADOPTED: 02/27/1995

5 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Supplemental Adult Probation Fees Fund in the amount of \$44,100 for the Superior Court, Criminal Division, Probation Department, to pay an existing lease agreement for outside office space financed by revenues from that fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 72

APPROVED BY MAYOR: 03/03/1995

JOURNAL PAGE: 183

ADOPTED: 02/27/1995

6 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Supplemental Adult Probation User Fee Fund in the amount of \$24,600 for the Superior Court, Criminal Division, Probation Department, to provide the 25% matching funds required by the recently awarded federal grant of \$71,350 which is to be utilized for the Automated Probation Case Management System financed by revenues from that fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 73

APPROVED BY MAYOR: 03/03/1995

JOURNAL PAGE: 184

ADOPTED: 02/27/1995

1995 Fiscal Ordinance Index

7 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation transfer request for \$2,235,000 in the Solid Waste Disposal Fund for the Department of Public Works, Solid Waste Management Division, and reducing a like amount from the Department of Capital Asset Management, Asset Management Division, for the removal and hauling of sludge from the sludge lagoons

REFERRED TO: Public Works Committee

PROPOSAL NO: 126

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 185

ADOPTED: 02/27/1995

8 SPONSORED BY: Councillor McClamroch

DIGEST: an appropriation from the County General Fund in the amount of \$250 for the Superior Court, Civil Division, Room Five, to pay copier machine rental financed by a transfer of other appropriations for that court

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 116

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 221

ADOPTED: 02/27/1995

9 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$40,000 for the Prosecuting Attorney to pay salary and fringe benefits for a Community Prosecutor for the Weed and Seed initiative on the near west side financed by a federal grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 162

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 249

ADOPTED: 03/20/1995

10 SPONSORED BY: Councillor O'Dell

DIGEST: an appropriation from the County General Fund in the amount of \$12,050 for the Cooperative Extension Service to cover lease and contractual services obligations financed by unappropriated revenues in the County General Fund

REFERRED TO: Community Affairs Committee

PROPOSAL NO: 106

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 264

ADOPTED: 03/20/1995

11 SPONSORED BY: Councillor West

DIGEST: an appropriation from the Redevelopment General Fund in the amount of \$150,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to implement the Facade Improvement Program which promotes the revitalization of the City's redeveloped commercial areas by providing financial incentives to participants financed by revenues from the Redevelopment General Fund

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 108

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 265

ADOPTED: 03/20/1995

12 SPONSORED BY: Councillor West

DIGEST: an appropriation from the Metropolitan Development General Fund in the amount of \$225,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to implement document imaging for the Metropolitan Development Commission's resolutions, building permit documents, and variance and rezoning documents financed by revenues from the Metropolitan Development General Fund

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 109

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 266

ADOPTED: 03/20/1995

1995 Fiscal Ordinance Index

13 SPONSORED BY: Councillor Jones

DIGEST: an appropriation from the Park General/Golf Fund in the amount of \$300,000 for the Department of Parks and Recreation, Golf Division, for the construction of a driving range and a maintenance building at Douglass Golf Course financed by the unappropriated and unencumbered fund balance

REFERRED TO: Parks and Recreation Committee

PROPOSAL NO: 112

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 267

ADOPTED: 03/20/1995

14 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Drug Free Community Fund in the amount of \$27,174 for the Marion County Justice Agency to support the Indianapolis Challenge project, which is a coordinated approach to issues and problems concerning substance abuse and related violence in the County financed by revenues from that fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 117

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 269

ADOPTED: 03/20/1995

15 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Drug Free Community Fund in the amount of \$487,893 for the Marion County Justice Agency to provide various criminal justice treatment and education programs financed by revenues from that fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 118

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 270

ADOPTED: 03/20/1995

16 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the City Cumulative Capital Development Fund in the amount of \$64,213 for the Department of Public Safety, Police Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 119

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 271

ADOPTED: 03/20/1995

17 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the City Cumulative Capital Development Fund in the amount of \$1,445,466 for the Department of Public Safety, Fire Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 120

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 272

ADOPTED: 03/20/1995

18 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation from the Arterial Roads and Streets Fund in the amount of \$1,300,000 for the Department of Capital Asset Management, Asset Management Division, to provide funding for curb, sidewalk and resurfacing projects in neighborhoods financed by revenues from that fund

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 127

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 273

ADOPTED: 03/20/1995

19 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation from the Parking Meter Fund in the amount of \$1,250,000 for the Department of Capital Asset Management, Asset Management Division, to supplement the City's investment in infrastructure in parking meter areas financed by revenues from that fund

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 128

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 274

ADOPTED: 03/20/1995

1995 Fiscal Ordinance Index

20 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation from the City Cumulative Capital Improvement Fund in the amount of \$800,000 for the Department of Capital Asset Management, Asset Management Division, to provide funding for curb, sidewalk, and resurfacing projects financed by revenues from that fund

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 129

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 275

ADOPTED: 03/20/1995

21 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation from the Sanitation General Fund in the amount of \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to fund unanticipated capital improvements greater than \$25,000 financed by revenues from that fund

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 130

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 276

ADOPTED: 03/20/1995

22 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation from the Transportation General Fund in the amount of \$10,074,307 for the Department of Capital Asset Management, Asset Management Division, to provide funding for (1) additional resurfacing, curb and sidewalk repairs in neighborhoods; (2) service agreement for Washington Street; and (3) design work on I-70 and Six Points Road

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 132

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 277

ADOPTED: 03/20/1995

23 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation from the Advanced Wastewater Treatment Facilities Reserve Fund in the amount of \$10,795,000 for the Department of Capital Asset Management, Finance and Administration Division, to make capital expenditures for the City's advanced wastewater treatment plant financed by revenues from that fund

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 161

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 279

ADOPTED: 03/20/1995

24 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$45,000 for the Superior Court, Juvenile Division/ Detention Center, to provide for an attorney for Child Advocates, Inc. financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 166

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 281

ADOPTED: 03/20/1995

25 SPONSORED BY: Councillor West

DIGEST: an appropriation of \$168,000 for the Department of Metropolitan Development, Planning Division, to increase its current contracts with Indianapolis Project, Inc. and Greater Indianapolis Progress Committee and to provide funding for the Small Business Incubator Program financed from the balance in the Metropolitan Development General Fund and by additional tax abatement filing fees

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 111

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 300

ADOPTED: 04/10/1995

1995 Fiscal Ordinance Index

- 26 SPONSORED BY: Councillor Gilmer
DIGEST: an appropriation of \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to supplement investment in Combined Sewer Overflow projects throughout the City financed from balances in the Sanitary District General Improvement Fund
REFERRED TO: Capital Asset Management Committee PROPOSAL NO: 131
APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 301 ADOPTED: 04/10/1995
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- 27 SPONSORED BY: Councillor Dowden
DIGEST: an appropriation of \$1,081,857 for the County Sheriff to pay for expenses at Riverside Community Corrections facility, prisoner food and medical care, FOP contract and fringe benefits financed by additional revenue of \$315,000 generated from wrecker fees, special deputy fees and machine permit fees and the balance from the County General Fund balances
REFERRED TO: Public Safety and Criminal Justice Committee PROPOSAL NO: 164
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 302 ADOPTED: 04/10/1995
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- 28 SPONSORED BY: Councillor Dowden
DIGEST: an appropriation of \$70,500 for the County Auditor to cover the cost associated with the preparation of the Marion County Hazardous Materials Response Plan and the cost of providing community right to know information for Marion County financed by revenues from the Local Emergency Planning and Right to Know Fund
REFERRED TO: Public Safety and Criminal Justice Committee PROPOSAL NO: 167
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 304 ADOPTED: 04/10/1995
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- 29 SPONSORED BY: Councillor Dowden
DIGEST: an appropriation of \$42,924 for the Marion County Justice Agency to cover the cost of continuing participation in the Drug Use Forecasting Program financed by grant revenues of the State and Federal Grants Fund
REFERRED TO: Public Safety and Criminal Justice Committee PROPOSAL NO: 196
APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 304 ADOPTED: 04/10/1995
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- 30 SPONSORED BY: Councillor Dowden
DIGEST: an appropriation of \$51,742 for the Superior Court, Juvenile Division/Detention Center, to fund a Magistrate position at the court financed by revenues received from the Marion County Office of Family and Children
REFERRED TO: Public Safety and Criminal Justice Committee PROPOSAL NO: 114
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 305 ADOPTED: 04/10/1995
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- 31 SPONSORED BY: Councillor Curry
DIGEST: a new appropriation of \$10,000 to pay overtime expenses of the County Surveyor for work performed on behalf of IMAGIS financed by reducing other appropriations for the County Surveyor
REFERRED TO: Administration and Finance Committee PROPOSAL NO: 188
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 311 ADOPTED: 04/10/1995
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1995 Fiscal Ordinance Index

32 SPONSORED BY: Councillor Dowden

DIGEST: a transfer of appropriations within the Prosecuting Attorney's office to correctly catalogue the nature of expenditures of \$76,500 associated with the Traffic Safety Program financed from the State and Federal Grants Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 195

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 312

ADOPTED: 04/10/1995

33 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$145,697 for the Superior Court, Juvenile Division/Detention Center, to fund the balance due for the Court/Center computer and to fund various maintenance agreements from the County General Fund balances

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 165

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 357

ADOPTED: 04/24/1995

34 SPONSORED BY: Councillor Rhodes

DIGEST: a new appropriation of \$275,000 to pay the County's portion of the Financial Accounting and Management Information System (FAMIS) for the County Auditor financed by reducing the County General Fund balance

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 187

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 358

ADOPTED: 04/24/1995

35 SPONSORED BY: Councillor O'Dell

DIGEST: a new appropriation of \$10,955 to pay for capital items needed in the kitchen of the Marion County Children's Guardian Home financed by reducing the County General Fund balance

REFERRED TO: Community Affairs Committee

PROPOSAL NO: 189

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 359

ADOPTED: 04/24/1995

36 SPONSORED BY: Councillor Giffin

DIGEST: a new appropriation of \$170,000 for landscaping, tree trimming, cart path guard rails, a pedestrian bridge and other miscellaneous improvements financed from Park General/Golf Fund balances

REFERRED TO: Parks and Recreation Committee

PROPOSAL NO: 192

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 360

ADOPTED: 04/24/1995

37 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$614,755 in Uniform Traffic Tickets receipts between September and December 1994 from qualified drivers for county agencies involved in enforcing the program financed from the Moving Traffic Deferral Fees

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 193

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 361

ADOPTED: 04/24/1995

38 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation for \$78,331 to pay training expenses for the County Sheriff's Department financed by Continuing Education Fund balances

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 194

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 362

ADOPTED: 04/24/1995

1995 Fiscal Ordinance Index

39 SPONSORED BY: Councillor Dowden

DIGEST: a transfer of appropriations of \$15,561 to finance the preparation by Community Corrections of a comprehensive report on youth identified as being victims or perpetrators of violence financed by reducing other appropriations from the State and Federal Grants Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 197

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 364

ADOPTED: 04/24/1995

40 SPONSORED BY: Councillor O'Dell

DIGEST: an appropriation of \$59,168 to pay outstanding invoices and cover the shortfall in personal services for the Marion County Healthcare Center financed by transferring other appropriations

REFERRED TO: Community Affairs Committee

PROPOSAL NO: 234

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 371

ADOPTED: 04/24/1995

41 SPONSORED BY: Councillor Dowden

DIGEST: the transfer of \$310,000 from the County General Fund to the Supplemental Public Defender Fund to make up the 1994 revenue shortfall in the Supplemental Public Defender Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 69

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 387

ADOPTED: 05/08/1995

42 SPONSORED BY: Councillor Borst

DIGEST: an appropriation of \$240,000 for new laboratory instrumentation and supplies and to provide various travel/training fees to upgrade Forensic Services Agency's capability in drug and drug-related analysis financed by additional grant revenues of the State and Federal Grants Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 271

APPROVED BY MAYOR: 05/12/1995 JOURNAL PAGE: 388

ADOPTED: 05/08/1995

43 SPONSORED BY: Councillor Borst

DIGEST: an appropriation for \$269,652 for the County Sheriff to secure the west wing of the City-County Building and for the Court Administrator to purchase up to 22 walk-through metal detectors and 32 hand wands for use by those courts and agencies that desire security

REFERRED TO: Rules and Public Policy Committee

PROPOSAL NO: 198

APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 410

ADOPTED: 05/22/1995

44 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$37,070 for the Superior Court, Juvenile Division/Detention Center, to employ a person currently under contract to the City financed from the County General Fund balances

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 235

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 413

ADOPTED: 05/22/1995

45 SPONSORED BY: Councillor Dowden

DIGEST: a new appropriation of \$7,833 to pay overtime per Fair Labor Standards Act's guidelines for the Superior Court, Criminal Division, Rooms 1, 2, 3, and 4, and Civil Division, Room 2, financed from the County General Fund balances

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 236

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 414

ADOPTED: 05/22/1995

1995 Fiscal Ordinance Index

46 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation of \$128,000 for the County Auditor to pay for administration and sale of county-owned land, financed from additional County General Fund revenues generated by such sales

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 267

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 441

ADOPTED: 06/12/1995

47 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation for \$283,219 for expenses associated with the County Sheriff's assuming responsibility for security in the City-County Building financed by Building Authority's reimbursement of the County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 269

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 442

ADOPTED: 06/12/1995

48 SPONSORED BY: Councillor Borst

DIGEST: an appropriation of \$252,750 for acquisition of laboratory instrumentation and to provide an educational stipend for laboratory employees for the Forensic Services Agency financed by tuition payments to the County General Fund from the government of Abu Dhabi covering eight officers being trained by the Forensic Services Agency

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 270

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 443

ADOPTED: 06/12/1995

49 SPONSORED BY: Councillors Smith, Rhodes

DIGEST: an appropriation to pay for salary increases for the Information Services Agency financed by revenues from the Information Services Internal Services Fund

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 307

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 444

ADOPTED: 06/12/1995

50 SPONSORED BY: Councillors Smith, Rhodes

DIGEST: an appropriation to pay salary increases for employees of the County Assessor and the nine Township Assessors financed by revenues from the Property Reassessment Fund

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 308

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 445

ADOPTED: 06/12/1995

51 SPONSORED BY: Councillors Smith, Rhodes

DIGEST: an appropriation to pay salary increases for all the County agencies financed by revenues from the County General Fund

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 309

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 446

ADOPTED: 06/12/1995

52 SPONSORED BY: Councillors Smith, Rhodes

DIGEST: an appropriation to pay salary increases for the Metropolitan Emergency Communications Agency financed by revenues from the Metropolitan Emergency Communications Agency Fund

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 311

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 449

ADOPTED: 06/12/1995

1995 Fiscal Ordinance Index

53	SPONSORED BY: Councillor West		
DIGEST: appropriates an additional \$2,814,548 in Community Block Grant funds for redevelopment block grant activities financed by additional grants			
REFERRED TO: Metropolitan Development Committee		PROPOSAL NO: 313	
APPROVED BY MAYOR: 06/16/1995		JOURNAL PAGE: 451	ADOPTED: 06/12/1995
54	SPONSORED BY: Councillor West		
DIGEST: appropriates an additional \$2,814,548 of Community Development Block Grant funds for the Redevelopment General Fund for block grant activities: economic development, public services, housing, public improvements and support services financed by grant funds			
REFERRED TO: Metropolitan Development Committee		PROPOSAL NO: 314	
APPROVED BY MAYOR: 06/16/1995		JOURNAL PAGE: 451	ADOPTED: 06/12/1995
55	SPONSORED BY: Councillor Dowden		
DIGEST: an appropriation of \$230,900 to continue the County comprehensive traffic safety program through the Prosecuting Attorney financed by a federal grant			
REFERRED TO: Public Safety and Criminal Justice Committee		PROPOSAL NO: 345	
APPROVED BY MAYOR: 06/16/1995		JOURNAL PAGE: 453	ADOPTED: 06/12/1995
56	SPONSORED BY: Councillor Dowden		
DIGEST: an appropriation of \$445,100 to pay for law enforcement personnel participating in the multi-jurisdictional pursuit of illegal drug activities financed by revenues from a federal grant			
REFERRED TO: Public Safety and Criminal Justice Committee		PROPOSAL NO: 346	
APPROVED BY MAYOR: 06/16/1995		JOURNAL PAGE: 454	ADOPTED: 06/12/1995
57	SPONSORED BY: Councillor Dowden		
DIGEST: an appropriation of \$197,459 for the Marion County Justice Agency to purchase local area network equipment to provide detailed information (reports and graphs) relating to violent crime financed by a federal grant			
REFERRED TO: Public Safety and Criminal Justice Committee		PROPOSAL NO: 347	
APPROVED BY MAYOR: 06/16/1995		JOURNAL PAGE: 455	ADOPTED: 06/12/1995
58	SPONSORED BY: Councillor West		
DIGEST: an appropriation of \$335,000 to support direct acquisition of capital items by a qualified Community Development Corporation financed by a transfer of funds within DMD's Redevelopment General Fund			
REFERRED TO: Metropolitan Development Committee		PROPOSAL NO: 342	
APPROVED BY MAYOR: 06/16/1995		JOURNAL PAGE: 456	ADOPTED: 06/12/1995
59	SPONSORED BY: Councillors Dowden, Short		
DIGEST: an appropriation of \$102,315 for the County Auditor to pay the 1995 rent payments for the Family Advocacy Center financed by revenues from the County General Fund			
REFERRED TO: Public Safety and Criminal Justice Committee		PROPOSAL NO: 354	
APPROVED BY MAYOR: Not Req.		JOURNAL PAGE: 490	ADOPTED: 06/26/1995
60	SPONSORED BY: Councillor Dowden		
DIGEST: an appropriation of \$108,000 for the Office of Youth and Family Services to provide services for families or individuals at risk of being homeless financed by additional federal grants			
REFERRED TO: Community Affairs Committee		PROPOSAL NO: 312	
APPROVED BY MAYOR: 06/30/1995		JOURNAL PAGE: 491	ADOPTED: 06/26/1995

1995 Fiscal Ordinance Index

61 SPONSORED BY: Councillor Curry

DIGEST: an appropriation of \$38,449 for the City-County Council to contract for a cable television consultant financed by a transfer of funds from the Cable Communications Agency's Consolidated County Fund

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 340

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 492

ADOPTED: 06/26/1995

62 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$880,309 to pay Community Corrections operational expenses for fiscal year 1995/1996 financed by state and federal grants

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 373

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 494

ADOPTED: 06/26/1995

63 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$77,234 for Community Corrections to fund the Juvenile Court Intensive Probation Services Program for fiscal year 1995/1996 financed by state and federal grants

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 376

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 495

ADOPTED: 06/26/1995

64 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$43,750 for Community Corrections to fund Prosecutor Newman's Project Strategic Intervention with Brothers and Sisters (Project SIBS) (formerly Project Courage) financed by state and federal grants

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 377

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 496

ADOPTED: 06/26/1995

65 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation of \$200,000 for the Indianapolis Fleet Services to cover increased expenditures in the cost of contractual repairs for City vehicles financed by a transfer of funds within the division's Consolidated County Fund

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 370

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 503

ADOPTED: 06/26/1995

66 SPONSORED BY: Councillor McClamroch

DIGEST: an appropriation to adjust judicial and prosecutorial salaries to conform to statutory changes effective July 1, resulting in a net reduction in appropriated County General Funds of \$390,236

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 371

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 504

ADOPTED: 06/26/1995

67 SPONSORED BY: Councillor West

DIGEST: an appropriation of \$3,200,000 of Community Development Block Grant Section 108 funds to carry out the following development projects: (1) the West Michigan Street Redevelopment Project, (2) the Mainscape Project, and (3) the New East Industrial Center and the Opportunity Factory

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 341

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 548

ADOPTED: 07/17/1995

1995 Fiscal Ordinance Index

68 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation of \$32,069 to pay for accumulated compensatory time and benefit leave for employees who have left the County Coroner's office financed from the County General Fund balances

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 369

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 549

ADOPTED: 07/17/1995

69 SPONSORED BY: Councillor Dowden

DIGEST: an additional appropriation of \$116,325 for the Public Defender Agency to achieve staffing levels sufficient to qualify for state reimbursement in excess of such increases

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 372

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 550

ADOPTED: 07/17/1995

70 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$262,422 for Community Corrections to pay personnel, home detention equipment and office supply expenses for fiscal year 1995/1996 financed by revenues from the Home Detention User Fee Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 374

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 552

ADOPTED: 07/17/1995

71 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$7,000 for Community Corrections to pay for additional bed space in the Community Corrections Residential Program financed by revenues from the Home Detention User Fee Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 375

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 552

ADOPTED: 07/17/1995

72 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$199,877 for Community Corrections to continue the Craine House Family Living Program financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 418

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 553

ADOPTED: 07/17/1995

73 SPONSORED BY: Councillor Franklin

DIGEST: an appropriation of \$2,720 for the Superior Court, Criminal Division, Room Three, to pay for additional supply, office equipment, and parking expenses financed by a transfer of funds within the court's budget

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 417

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 554

ADOPTED: 07/17/1995

74 SPONSORED BY: Councillor Gilmer

DIGEST: an appropriation of \$515,098 to fund the Collections Division in the Office of Corporation Counsel financed by a transfer of funds from the Department of Capital Asset Management's Parking Meter Fund and from the Office of the Controller's Consolidated County Fund

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 339

APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 575

ADOPTED: 08/01/1995

1995 Fiscal Ordinance Index

75 SPONSORED BY: Councillor Smith

DIGEST: an appropriation of \$44,031 for the Franklin Township Assessor to pay relocation expenses financed from the County General Fund balances

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 416

APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 577

ADOPTED: 08/01/1995

76 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation to reclassify fringes to salary for the Marion County Justice Agency in the amount of \$6,500 financed by a transfer of funds within the Drug Free Community Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 444

APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 578

ADOPTED: 08/01/1995

77 SPONSORED BY: Councillor McClamroch

DIGEST: amends County budget to authorize direct payment of additional salaries for judges in amounts previously approved

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 442

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 592

ADOPTED: 08/01/1995

78 SPONSORED BY: Councillor O'Dell

DIGEST: an appropriation of \$15,530 for the County Sheriff to provide security at the Marion County Children's Guardian Home financed by a transfer of funds from the Children's Guardian Home's County General Fund

REFERRED TO: Community Affairs Committee

PROPOSAL NO: 441

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 614

ADOPTED: 08/28/1995

79 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$294,000 for the County Sheriff, Community Corrections, and the Marion County Justice Agency to continue various programs to divert misdemeanor populations from state penal facilities financed by revenues from the County Correction Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 443

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 615

ADOPTED: 08/28/1995

80 SPONSORED BY: Councillor Coughenour

DIGEST: an appropriation of \$785,271 for the Department of Public Works, Environmental Resources Management Division, to meet the City's obligation to the Northside Landfill Superfund and to address USEPA's concerns at the City-owned Tibbs-Banta Landfill financed from Sanitation General Fund balances

REFERRED TO: Public Works Committee

PROPOSAL NO: 445

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 619

ADOPTED: 08/28/1995

81 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$770,000 for the County Sheriff to proceed with the jail expansion in the east wing of the City-County Building financed from the County General Fund balances

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 505

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 625

ADOPTED: 08/28/1995

82 SPONSORED BY: Councillor McClamroch

DIGEST: the annual budget for the Revenue Bonds Debt Service Funds for 1996

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 501

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 861

ADOPTED: 09/25/1995

1995 Fiscal Ordinance Index

83 SPONSORED BY: Councillor Curry

DIGEST: an appropriation of \$666,000 for Information Services Agency to pay for increased contractual services, maintenance, and telephone expenses financed by a transfer of funds within the Information Services Internal Service Fund; and a reduction in its 1995 budget of \$260,000 due to reasons associated with the Huron project

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 521

APPROVED BY MAYOR: 09/15/1995 JOURNAL PAGE: 803

ADOPTED: 09/11/1995

84 SPONSORED BY: Councillor O'Dell

DIGEST: the annual budget for the Marion County Office of Family and Children for 1996

REFERRED TO: Community Affairs Committee

PROPOSAL NO: 502

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 868

ADOPTED: 09/25/1995

85 SPONSORED BY: Councillor McClamroch

DIGEST: the annual budget for the Metropolitan Emergency Communications Agency for 1996

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 503

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 878

ADOPTED: 09/25/1995

86 SPONSORED BY: Councillor McClamroch

DIGEST: the annual budget for Indianapolis and Marion County for 1996

REFERRED TO: Committee

PROPOSAL NO: 504

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 886

ADOPTED: 09/25/1995

87 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$7,754 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a federal grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 487

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 966

ADOPTED: 09/25/1995

88 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$89,957 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a Family and Social Services Administration grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 488

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 966

ADOPTED: 09/25/1995

89 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$15,812 for the County Sheriff to pay overtime to officers assigned to the FBI Task Force Program financed by a FBI grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 528

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 967

ADOPTED: 09/25/1995

90 SPONSORED BY: Councillor Giffin

DIGEST: an appropriation of \$150,000 for the Department of Parks and Recreation to purchase additional land for the expansion of Juan Solomon Park financed by revenues from the Park Land Fund

REFERRED TO: Parks and Recreation Committee

PROPOSAL NO: 522

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 982

ADOPTED: 10/16/1995

1995 Fiscal Ordinance Index

91	SPONSORED BY: Councillor Giffin		
	DIGEST: an appropriation of \$783,500 for the Department of Parks and Recreation to cover repair and renovation expenses at numerous park facilities financed by revenues from the Consolidated County Cumulative Capital Development Fund		
	REFERRED TO: Parks and Recreation Committee	PROPOSAL NO: 523	
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 983	ADOPTED: 10/16/1995	
92	SPONSORED BY: Councillor Dowden		
	DIGEST: distributes \$489,942 of Uniform Traffic Ticket revenue to the Prosecutor, Sheriff, Presiding Judge of the Municipal Courts, and the Auditor		
	REFERRED TO: Public Safety and Criminal Justice Committee	PROPOSAL NO: 527	
	APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 984	ADOPTED: 10/16/1995	
93	SPONSORED BY: Councillor O'Dell		
	DIGEST: an appropriation of \$3,401,732 for the Marion County Office of Family and Children to pay the expenses of the wards in institutions financed by revenues from the Family and Children Fund		
	REFERRED TO: Community Affairs Committee	PROPOSAL NO: 584	
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 986	ADOPTED: 10/16/1995	
94	SPONSORED BY: Councillor Dowden		
	DIGEST: an appropriation of \$39,725 for the Marion County Public Defender Agency to continue a project that assists with expediting cases and alleviating jail overcrowding financed by revenues from a federal grant		
	REFERRED TO: Public Safety and Criminal Justice Committee	PROPOSAL NO: 586	
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 987	ADOPTED: 10/16/1995	
95	SPONSORED BY: Councillor Dowden		
	DIGEST: an appropriation of \$328,000 for the Prosecuting Attorney, County Sheriff, and the County Auditor to continue the comprehensive traffic safety program financed by a federal grant		
	REFERRED TO: Public Safety and Criminal Justice Committee	PROPOSAL NO: 622	
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 988	ADOPTED: 10/16/1995	
96	SPONSORED BY: Councillor Dowden		
	DIGEST: an appropriation of \$23,171 for the County Sheriff and County Auditor to continue the Child Abuse Intervention Program financed by a federal grant		
	REFERRED TO: Public Safety and Criminal Justice Committee	PROPOSAL NO: 623	
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 989	ADOPTED: 10/16/1995	
97	SPONSORED BY: Councillor Dowden		
	DIGEST: an appropriation of \$47,240 for the County Sheriff and County Auditor to continue the Victim Assistance Program financed by a state grant		
	REFERRED TO: Public Safety and Criminal Justice Committee	PROPOSAL NO: 624	
	APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 990	ADOPTED: 10/16/1995	
98	SPONSORED BY: Councillor Moriarty Adams		
	DIGEST: an appropriation of \$2,000 for the Superior Court, Criminal Division, Room One, to cover supplies and other court expenses financed by a transfer within the court's budget		
	REFERRED TO: Public Safety and Criminal Justice Committee	PROPOSAL NO: 529	
	APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 991	ADOPTED: 10/16/1995	

1995 Fiscal Ordinance Index

99 SPONSORED BY: Councillor Golc

DIGEST: an appropriation of \$1,500 for the Marion County Drug Court to cover supply expenses financed by a transfer within the court's budget

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 530

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 992

ADOPTED: 10/16/1995

100 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation transferring \$35,500 to the correct character in the State and Federal Grants Fund for the Prosecuting Attorney to pay necessary expenses associated with the Governor's Council on Impaired and Dangerous Driving

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 585

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 993

ADOPTED: 10/16/1995

101 SPONSORED BY: Councillor Borst

DIGEST: an appropriation of \$40,000 for the Forensic Services Agency to cover additional supplies and training expenditures for the Abu Dhabi police officers financed by a transfer within the agency's County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 627

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 999

ADOPTED: 10/16/1995

102 SPONSORED BY: Councillor Coughenour

DIGEST: an appropriation of \$80,000 for the Department of Public Works, Administration Division, to cover shortfalls in Personal Services financed by a transfer within the division's Consolidated County Fund

REFERRED TO: Public Works Committee

PROPOSAL NO: 628

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1000

ADOPTED: 10/16/1995

103 SPONSORED BY: Councillor Coughenour

DIGEST: an appropriation of \$1,256,757 for the Department of Public Works, Contract Compliance Division, to fund additional expenses relating to the operation of the Advanced Wastewater Treatment facilities financed by transfers from the Sanitation General Fund, Flood General Fund, and the Transportation General Fund

REFERRED TO: Public Works Committee

PROPOSAL NO: 629

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1000

ADOPTED: 10/16/1995

104 SPONSORED BY: Councillor Coughenour

DIGEST: an appropriation reducing by \$3,458,000 the budget of the Department of Public Works, Solid Waste Management Division, from the Solid Waste Disposal Fund

REFERRED TO: Public Works Committee

PROPOSAL NO: 631

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1001

ADOPTED: 10/16/1995

105 SPONSORED BY: Councillor Curry

DIGEST: an appropriation of \$3,000 for the County Surveyor to pay overtime due to additional work on behalf of IMAGIS financed by transfers of other appropriations within the agency's County General Fund

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 717

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1041

ADOPTED: 10/30/1995

1995 Fiscal Ordinance Index

106 SPONSORED BY: Councillor West

DIGEST: an appropriation of \$100,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to pay for the digitizing of zoning maps financed by revenues from the Metropolitan Development General Fund

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 620

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1049

ADOPTED: 10/30/1995

107 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$6,974 for Superior Court, Criminal Division, Room Two, to pay court employees overtime in death penalty cases with sequestered jurors financed from County General Fund balances

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 621

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1050

ADOPTED: 10/30/1995

108 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$272,850 for the County Sheriff to pay increased per diem cost and utilization of the Riverside Residential Center financed by revenues reserved for jail expansion in the County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 625

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1051

ADOPTED: 10/30/1995

109 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$24,272 for Community Corrections to pay for five additional officers needed to staff Community Corrections Annex financed by revenues reserved for jail expansion in the County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 626

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1052

ADOPTED: 10/30/1995

110 SPONSORED BY: Councillor Coughenour

DIGEST: an appropriation of \$1,250,000 for the Department of Public Works, Maintenance Operations Division, to fund Personal Services shortfalls financed by a transfer within the division's Maintenance Operations General Fund

REFERRED TO: Public Works Committee

PROPOSAL NO: 630

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1053

ADOPTED: 10/30/1995

111 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$90,000 for the Prosecuting Attorney to continue a study of alternative sentences for impaired drivers financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 677

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1054

ADOPTED: 10/30/1995

112 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$482,620 for the Marion County Public Defender Agency to cover unanticipated and unbudgeted expenses financed by transfers of \$7,580 within the agency's budget and by an appropriation of \$475,040 from the County General Fund balances

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 678

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1057

ADOPTED: 10/30/1995

1995 Fiscal Ordinance Index

113 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$39,724 for the Marion County Public Defender Agency to continue the Pretrial Release and Sentencing Project financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 679

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1058

ADOPTED: 10/30/1995

114 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$186,150 for the Community Corrections Agency to pay for 30 additional beds in the agency's work release and residential facilities financed by state and federal grants

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 680

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1059

ADOPTED: 10/30/1995

115 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$60,000 for the Community Corrections Agency to pay for additional home detention equipment and vehicles financed by state and federal grants

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 681

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1060

ADOPTED: 10/30/1995

116 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$4,400 for the Superior Court, Criminal Division, Room Six, to cover supply, phone, and computer expenses financed by a transfer of funds within the court's County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 674

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1064

ADOPTED: 10/30/1995

117 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$4,000 for the Superior Court, Criminal Division, Probation Department, to cover copying and telephone expenses financed by a transfer of funds within the department's County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 675

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1065

ADOPTED: 10/30/1995

118 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation transferring \$20,210 within the Community Corrections Agency's County General Fund budget to reflect the proper character classification of maintenance agreements

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 683

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1065

ADOPTED: 10/30/1995

119 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$2,500 for the Department of Public Safety, Weights and Measures Division, to purchase a computer financed by a transfer within the division's Consolidated County Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 684

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1066

ADOPTED: 10/30/1995

120 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation of \$40,000 for the County Assessor to cover purchase of computer equipment financed by transfers within the agency's Property Reassessment Fund

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 667

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1071

ADOPTED: 10/30/1995

1995 Fiscal Ordinance Index

121 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation transferring \$11,520 for additional and originally anticipated expenditures, including GIS equipment upgrades and replacements, for the Washington Township Assessor financed by transfers within the assessor's Property Reassessment Fund

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 668

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1072

ADOPTED: 10/30/1995

122 SPONSORED BY: Councillor West

DIGEST: an appropriation of \$99,500 for the Department of Metropolitan Development, Planning Division, to transfer a federal grant for the Naval Air Warfare Center from contractual to internally operated within the department's Metropolitan Development General Fund

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 669

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1073

ADOPTED: 10/30/1995

123 SPONSORED BY: Councillor Giffin

DIGEST: an appropriation of \$72,000 for the Department of Parks and Recreation, Golf Division, to pay for security fencing around the perimeter of the Coffin Golf Course financed by revenues from the Park General/Golf Fund

REFERRED TO: Parks and Recreation Committee

PROPOSAL NO: 616

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1111

ADOPTED: 11/20/1995

124 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$6,209,223 for the County Auditor to pay the County's obligation to the Indiana Boys School financed from the County General Fund balances

REFERRED TO: Rules and Public Policy Committee

PROPOSAL NO: 673

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1121

ADOPTED: 11/20/1995

125 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$20,357 for the Prosecuting Attorney to purchase audio/visual equipment to be used in child abuse cases financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 676

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1122

ADOPTED: 11/20/1995

126 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$350,259 for the Community Corrections Agency to pay for home detention personnel, equipment, and supply expenses financed by revenues from the Home Detention User Fee Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 682

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1123

ADOPTED: 11/20/1995

127 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$128,134 for the Prosecuting Attorney to continue the Victim Advocate Project financed by state and federal grants

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 723

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1124

ADOPTED: 11/20/1995

1995 Fiscal Ordinance Index

128 SPONSORED BY: Councillor Rhodes

DIGEST: an appropriation of \$100,000 for the Department of Administration, Real Estate Division, for city-owned property management and maintenance financed by a transfer within the division's Consolidated County Fund

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 719

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1125

ADOPTED: 11/20/1995

129 SPONSORED BY: Councillor O'Dell

DIGEST: an appropriation of \$34,302 for the Office of Youth and Family Services to provide neighborhood-based primary health care services financed by a transfer within the agency's Consolidated County Fund

REFERRED TO: Community Affairs Committee

PROPOSAL NO: 720

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1126

ADOPTED: 11/20/1995

130 SPONSORED BY: Councillor West

DIGEST: an appropriation of \$138,345 for the Department of Metropolitan Development, Divisions of Planning and Neighborhood and Development Services, to purchase computers, financed by transfers within the divisions' Metropolitan Development General Fund

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 721

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1127

ADOPTED: 11/20/1995

131 SPONSORED BY: Councillor Giffin

DIGEST: reduces \$625,000 from the Department of Parks and Recreation's Park General Fund as part of the financing for the 1996 annual budget

REFERRED TO: Parks and Recreation Committee

PROPOSAL NO: 722

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1129

ADOPTED: 11/20/1995

132 SPONSORED BY: Councillor McClamroch

DIGEST: an appropriation of \$6,000,000 for the Department of Capital Asset Management for public transportation initiatives financed by a transfer of appropriations from the Office of the Controller's State Grants Fund

REFERRED TO: Capital Asset Management Committee

PROPOSAL NO: 782

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1190

ADOPTED: 12/11/1995

133 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$338,114 for the County Auditor, Prosecuting Attorney, County Sheriff, and the Presiding Judge of the Municipal Courts which is the third quarter distribution of the Deferral Program Fee Fund financed by revenues from that fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 724

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1193

ADOPTED: 12/11/1995

134 SPONSORED BY: Councillor Rhodes

DIGEST: authorizing tax anticipation borrowing for the City during the period from January 1, 1996 through December 31, 1996

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 753

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1194

ADOPTED: 12/11/1995

1995 Fiscal Ordinance Index

135 SPONSORED BY: Councillor Rhodes

DIGEST: authorizing tax anticipation borrowing for the County General Fund, the County Family and Children Fund, and the County Welfare General Fund during the period from January 1, 1996 through December 31, 1996

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 754

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1199

ADOPTED: 12/11/1995

136 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$14,192 to continue the Salvation Army's Domestic Violence Program through the Prosecuting Attorney financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 756

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1203

ADOPTED: 12/11/1995

137 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$31,252 for the Superior Court, Juvenile Division/Detention Center, to provide legal assistance for children through Child Advocates, Inc. financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 760

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1204

ADOPTED: 12/11/1995

138 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$49,967 for the Superior Court, Juvenile Division/Detention Center, to fund Partners for Youth financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 761

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1204

ADOPTED: 12/11/1995

139 SPONSORED BY: Councillors Dowden, Borst

DIGEST: an appropriation of \$68,425 for the Superior Court, Juvenile Division/Detention Center, to fund the Southside Youth Council/Teen Court Program financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 762

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1205

ADOPTED: 12/11/1995

140 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$25,536 for the Court Administrator Agency to continue the Visiting Nurse Service as part of the Family Connection Center Program financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 763

APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1206

ADOPTED: 12/11/1995

141 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$150,000 for the County Sheriff to pay the increased food expense due to a larger inmate population financed by transfers of other appropriations within the department's County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 755

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1231

ADOPTED: 12/11/1995

142 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$38,300 for the Prosecutor's Child Support IV-D Agency to cover contractual consultant expense financed by transfers of appropriations within the agency's County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 757

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1231

ADOPTED: 12/11/1995

1995 Fiscal Ordinance Index

143 SPONSORED BY: Councillor Franklin

DIGEST: an appropriation of \$900 for the Superior Court, Criminal Division, Room Four, to pay for maintenance agreement, postage, and electrical work expenses financed by a transfer within the court's County General Fund

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 758

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1232

ADOPTED: 12/11/1995

144 SPONSORED BY: Councillor Dowden

DIGEST: corrects Fiscal Ordinance No. 177, 1995 for the Superior Court, Criminal Division, Probation Department

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 759

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1233

ADOPTED: 12/11/1995

145 SPONSORED BY: Councillor Dowden

DIGEST: corrects Fiscal Ordinance No. 100, 1995 for the Prosecuting Attorney and the County Auditor

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 781

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1235

ADOPTED: 12/11/1995

1995 Special Ordinance Index

1 SPONSORED BY: Councillor Borst

DIGEST: authorizing the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$7 million for Veltri Stamping Corporation (413 North Tremont Avenue, District 16)

REFERRED TO: Economic Development Committee

PROPOSAL NO: 53

APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 27

ADOPTED: 01/23/1995

2 SPONSORED BY: Councillor Borst

DIGEST: authorizing the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$3 million for Indianapolis Art Center, Inc. (820 East 67th Street, District 2)

REFERRED TO: Economic Development Committee

PROPOSAL NO: 54

APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 29

ADOPTED: 01/23/1995

3 SPONSORED BY: Councillor Golc

DIGEST: approving an application for designation of the former Westinghouse Air Brake Company site at 217 South Belmont Street as an Industrial Recovery Site

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 60

APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 158

ADOPTED: 02/13/1995

4 SPONSORED BY: Councillor Coughenour

DIGEST: approving an Interlocal Agreement between the City of Indianapolis and the Town of Cumberland for sewage transportation and treatment services

REFERRED TO: Public Works Committee

PROPOSAL NO: 125

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 221

ADOPTED: 02/27/1995

5 SPONSORED BY: Councillor Borst

DIGEST: authorizing the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$5,500,000 for the EPI Printers, Inc. project (7502 East 86th Street, District 4)

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 184

APPROVED BY MAYOR: 03/22/1995 JOURNAL PAGE: 257

ADOPTED: 03/20/1995

6 SPONSORED BY: Councillor Borst

DIGEST: authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$13,000,000 for the Jewish Federation of Greater Indianapolis, Inc. (6701 Hoover Road, District 2)

REFERRED TO: Economic Development Committee

PROPOSAL NO: 183

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 309

ADOPTED: 04/10/1995

7 SPONSORED BY: Councillor Borst

DIGEST: authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$3 million for SOHL Associates, LLC (southwest corner of 62nd Street and Guion Road (District 9)

REFERRED TO: Economic Development Committee

PROPOSAL NO: 437

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 533

ADOPTED: 07/17/1995

8 SPONSORED BY: Councillor West

DIGEST: authorizes the County Recorder to charge a supplemental fee of \$3 per document for recording documents

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 366

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 544

ADOPTED: 07/17/1995

1995 Special Ordinance Index

9 SPONSORED BY: Councillor Curry

DIGEST: authorizing the City to issue its Resource Recovery Revenue Refunding Bonds (Ogden Martin Systems of Indianapolis, Inc. Project), Series 1996

REFERRED TO: Rules and Public Policy Committee

PROPOSAL NO: 419

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 555

ADOPTED: 07/17/1995

10 SPONSORED BY: Councillor Borst

DIGEST: authorizing the issuance of economic development water facilities revenue bonds in an aggregate principal amount not to exceed \$18 million for the Indianapolis Water Company

REFERRED TO: Economic Development Committee

PROPOSAL NO: 514

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 616

ADOPTED: 08/28/1995

11 SPONSORED BY: Councillors Giffin, Franklin, Gray

DIGEST: authorizes the lease by the Indianapolis Department of Parks and Recreation of approximately 35 acres of land formerly known as the Riverside Nursery to R. N. Thompson & Associates, Inc. for the construction, development, and management of a golf academy

REFERRED TO: Parks and Recreation Committee

PROPOSAL NO: 485

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 669

ADOPTED: 08/28/1995

12 SPONSORED BY: Councillors Giffin, Franklin, Gray

DIGEST: authorizes the lease by the Indianapolis Department of Parks and Recreation of approximately 150 acres of land currently consisting of a nine-hole golf course and driving range and commonly referred to as Winding River Municipal Golf Course to R. H. West Management Corporation for the construction, development, and management of an eighteen-hole golf course

REFERRED TO: Parks and Recreation Committee

PROPOSAL NO: 486

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 686

ADOPTED: 08/28/1995

13 SPONSORED BY: Councillors Curry, Golc

DIGEST: authorizes the Agreement for the Operation and Maintenance of the Indianapolis International Airport Facilities by and Between the Indianapolis Airport Authority, BAA Indianapolis LLC, and BAA USA Holdings, Inc.

REFERRED TO: Rules and Public Policy Committee

PROPOSAL NO: 490

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 709

ADOPTED: 08/28/1995

14 SPONSORED BY: Councillor Curry

DIGEST: elects to fund MECA in 1996 with COIT revenues

REFERRED TO: Rules and Public Policy Committee

PROPOSAL NO: 491

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 749

ADOPTED: 08/28/1995

15 SPONSORED BY: Councillor Borst

DIGEST: authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$19,000,000 for the Children's Museum of Indianapolis, Incorporated at 3000 North Meridian Street (District 9)

REFERRED TO: Economic Development Committee

PROPOSAL NO: 612

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 818

ADOPTED: 09/25/1995

1995 Special Ordinance Index

-
- 16 SPONSORED BY: Councillor Borst
DIGEST: authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$6,600,000 for Sutton Place Apartments at 9350 East 43rd Street (District 14)
REFERRED TO: Economic Development Committee PROPOSAL NO: 614
APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 823 ADOPTED: 09/25/1995
-
- 17 SPONSORED BY: Councillor Borst
DIGEST: amends S.O. No. 43, 1985 by authorizing the extension of the maturity date for the previously issued City of Indianapolis Economic Development Revenue Bond (Web Reality of Indianapolis, Ltd. Project) (6803 North Coffman Road - District 1)
REFERRED TO: Economic Development Committee PROPOSAL NO: 716
APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1045 ADOPTED: 10/30/1995
-
- 18 SPONSORED BY: Councillor Borst
DIGEST: authorizes the execution of an Assignment and Assumption of Loan Agreement and other related documents concerning the previously issued \$2 million City of Indianapolis Health Care Facility Revenue Bond, Series A (Castleton Nursing Home Project) at 7630 East 86th Street (District 4)
REFERRED TO: Economic Development Committee PROPOSAL NO: 772
APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1103 ADOPTED: 11/20/1995
-
- 19 SPONSORED BY: Councillor Borst
DIGEST: authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$5 million for Pleasant Run Children's Homes, Inc. at 2400 North Tibbs Avenue (District 16)
REFERRED TO: Economic Development Committee PROPOSAL NO: 773
APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1105 ADOPTED: 11/20/1995
-
- 20 SPONSORED BY: Councillor Borst
DIGEST: authorizes the execution of a First Amendment to Trust Indenture and First Amendment to Loan Agreement concerning the previously issued \$12,300,000 City of Indianapolis, Indiana Multi-Family Housing Revenue Refunding Bonds (Canal Square Project) at 402 West New York Street (District 16)
REFERRED TO: Economic Development Committee PROPOSAL NO: 814
APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1183 ADOPTED: 12/11/1995
-
- 21 SPONSORED BY: Councillor Borst
DIGEST: authorizes the issuance of economic development revenue refunding bonds in an aggregate principal amount not to exceed \$19,000,000 for Lockefield Associates at Indiana Avenue from Blackford Street to Agnes Street (District 16)
REFERRED TO: Economic Development Committee PROPOSAL NO: 815
APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1185 ADOPTED: 12/11/1995
-
- 22 SPONSORED BY: Councillor Curry
DIGEST: approves an information technology operating agreement between the City/County and the SCT Software and Resource Management Corporation
REFERRED TO: Rules and Public Policy Committee PROPOSAL NO: 764
APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1230 ADOPTED: 12/11/1995
-

1995 General Resolution Index

-
- 1 SPONSORED BY: Councillor West
DIGEST: affirms the City's intent to comply with the minimum standards of the National Flood Insurance Program
REFERRED TO: Metropolitan Development Committee PROPOSAL NO: 230
APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 366 ADOPTED: 04/24/1995
-
- 2 SPONSORED BY: Councillor Smith
DIGEST: amends county salary schedules to increase salary ranges for County employees
REFERRED TO: Administration and Finance Committee PROPOSAL NO: 368
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 502 ADOPTED: 06/26/1995
-
- 3 SPONSORED BY: Councillor Dowden
DIGEST: approves a comprehensive plan for indigent defense services in non-capital cases
REFERRED TO: Public Safety and Criminal Justice Committee PROPOSAL NO: 398
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 509 ADOPTED: 06/26/1995
-
- 4 SPONSORED BY: Councillor Schneider
DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District
REFERRED TO: Municipal Corporations Committee PROPOSAL NO: 515
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 841 ADOPTED: 09/25/1995
-
- 5 SPONSORED BY: Councillor Schneider
DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Capital Improvement Board of Managers of Marion County
REFERRED TO: Municipal Corporations Committee PROPOSAL NO: 516
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 844 ADOPTED: 09/25/1995
-
- 6 SPONSORED BY: Councillor Schneider
DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County
REFERRED TO: Municipal Corporations Committee PROPOSAL NO: 517
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 848 ADOPTED: 09/25/1995
-
- 7 SPONSORED BY: Councillor Schneider
DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board
REFERRED TO: Municipal Corporations Committee PROPOSAL NO: 518
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 853 ADOPTED: 09/25/1995
-
- 8 SPONSORED BY: Councillor Schneider
DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Public Transportation Corporation
REFERRED TO: Municipal Corporations Committee PROPOSAL NO: 519
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 856 ADOPTED: 09/25/1995
-

1995 General Resolution Index

9 SPONSORED BY: Councillor Dowden

DIGEST: amends the schedule of compensation for County employees to allow the Chief Public Defender to be paid a salary equal to 90% of the total salary of the Marion County Prosecutor

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 671

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1062

ADOPTED: 10/30/1995

10 SPONSORED BY: Councillor Curry

DIGEST: approves the issuance of Redevelopment District General Obligation Bonds not to exceed \$3,040,000

REFERRED TO: Rules and Public Policy Committee

PROPOSAL NO: 633

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1112

ADOPTED: 11/20/1995

11 SPONSORED BY: Councillor Curry

DIGEST: approves the issuance of Flood Control District General Obligation Bonds not to exceed \$2,060,000

REFERRED TO: Rules and Public Policy Committee

PROPOSAL NO: 634

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1114

ADOPTED: 11/20/1995

12 SPONSORED BY: Councillor Curry

DIGEST: approves the issuance of Sanitary District General Obligations Bonds not to exceed \$5,875,000

REFERRED TO: Rules and Public Policy Committee

PROPOSAL NO: 635

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1116

ADOPTED: 11/12/1995

13 SPONSORED BY: Councillor Curry

DIGEST: approves the issuance of Sanitary District Refunding Bonds not to exceed \$33,500,000

REFERRED TO: Rules and Public Policy Committee

PROPOSAL NO: 636

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1120

ADOPTED: 11/20/1995

1995 Council Resolution Index

1	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Ruby Miller to the City-County Administrative Board REFERRED TO: Administration and Finance Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 21	PROPOSAL NO: 14 ADOPTED: 01/23/1995
2	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Clifford R. Snedeker to the Information Services Agency Board REFERRED TO: Administration and Finance Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 22	PROPOSAL NO: 15 ADOPTED: 01/23/1995
3	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Mary Alice (Dubbie) Buckler to the Information Services Agency Board REFERRED TO: Administration and Finance Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 22	PROPOSAL NO: 16 ADOPTED: 01/23/1995
4	SPONSORED BY: Councillor McClamroch DIGEST: reappointing John von Arx to the Information Services Agency Board REFERRED TO: Administration and Finance Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 22	PROPOSAL NO: 17 ADOPTED: 01/23/1995
5	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Phillip Hinkle to the Marion County Board of Tax Adjustment REFERRED TO: Administration and Finance Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 22	PROPOSAL NO: 18 ADOPTED: 01/23/1995
6	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Phillip Hinkle to the Audit Committee REFERRED TO: Administration and Finance Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 23	PROPOSAL NO: 22 ADOPTED: 01/23/1995
7	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Arno Haupt to the Board of Capital Asset Management REFERRED TO: Capital Asset Management Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 23	PROPOSAL NO: 23 ADOPTED: 01/23/1995
8	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Randolph L. Snyder to the Metropolitan Development Commission REFERRED TO: Metropolitan Development Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 103	PROPOSAL NO: 25 ADOPTED: 02/13/1995
9	SPONSORED BY: Councillor McClamroch DIGEST: reappointing Isaac Randolph to the Metropolitan Board of Zoning Appeals Division II REFERRED TO: Metropolitan Development Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 104	PROPOSAL NO: 26 ADOPTED: 02/13/1995

1995 Council Resolution Index

10	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Robert A. Stewart to the Metropolitan Board of Zoning Appeals Division III		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO:	27
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE:	104
		ADOPTED:	02/13/1995
11	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Mark DeFabis to the Indianapolis City-Market Corporation Board		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO:	28
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE:	104
		ADOPTED:	02/13/1995
12	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Elliott Nelson to the Board of Public Safety		
	REFERRED TO: Public Safety and Criminal Justice Committee	PROPOSAL NO:	30
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE:	105
		ADOPTED:	02/13/1995
13	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Ann Curry to the Animal Control Board		
	REFERRED TO: Public Safety and Criminal Justice Committee	PROPOSAL NO:	32
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE:	105
		ADOPTED:	02/13/1995
14	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing J. Lloyd Grannan to the Animal Control Board		
	REFERRED TO: Public Safety and Criminal Justice Committee	PROPOSAL NO:	33
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE:	105
		ADOPTED:	02/13/1995
15	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Tony A. Buford to the Board of Public Works		
	REFERRED TO: Public Works Committee	PROPOSAL NO:	36
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE:	106
		ADOPTED:	02/13/1995
16	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Larry L. Tunget to the Board of Public Works		
	REFERRED TO: Public Works Committee	PROPOSAL NO:	37
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE:	106
		ADOPTED:	02/13/1995
17	SPONSORED BY: Councillor West		
	DIGEST: approving the Mayor's appointment of Elaine E. Bedel as Director of the Department of Metropolitan Development for a term ending December 31, 1995		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO:	58
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE:	106
		ADOPTED:	02/13/1995
18	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Jack H. Hall, M.D. to the Metropolitan Development Commission		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO:	59
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE:	107
		ADOPTED:	02/13/1995

1995 Council Resolution Index

19	SPONSORED BY: Councillor Dowden		
	DIGEST: approving the Mayor's appointment of Michael E. Beaver as Director of the Department of Public Safety for a term ending December 31, 1995		
	REFERRED TO: Public Safety and Criminal Justice Committee	PROPOSAL NO: 65	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 107	ADOPTED: 02/13/1995
20	SPONSORED BY: Councillor Coughenour		
	DIGEST: approving the Mayor's appointment of Michael B. Stayton as Director of the Department of Public Works for a term ending December 31, 1995		
	REFERRED TO: Public Works Committee	PROPOSAL NO: 74	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 107	ADOPTED: 02/13/1995
21	SPONSORED BY: Councillor Giffin		
	DIGEST: approving the Mayor's appointment of Leon E. Younger as Director of the Indianapolis Department of Parks and Recreation for a term ending December 31, 1995		
	REFERRED TO: Parks and Recreation Committee	PROPOSAL NO: 75	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 108	ADOPTED: 02/13/1995
22	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Alan Retherford to the Metropolitan Board of Zoning Appeals Division I		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 78	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 108	ADOPTED: 02/13/1995
23	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Mary Jane Klepek to the Metropolitan Board of Zoning Appeals Division III		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 79	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 108	ADOPTED: 02/13/1995
24	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Joanna Walker to the Metropolitan Board of Zoning Appeals Division I		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 80	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 108	ADOPTED: 02/13/1995
25	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Howard Howe to the Board of Capital Asset Management		
	REFERRED TO: Capital Asset Management Committee	PROPOSAL NO: 24	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 171	ADOPTED: 02/27/1995
26	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Patricia M. Nickell to the Marion County Public Defender Board		
	REFERRED TO: Public Safety and Criminal Justice Committee	PROPOSAL NO: 34	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 171	ADOPTED: 02/27/1995
27	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Dennis Nicholas, M.D. to the Indianapolis-Marion County Forensic Board		
	REFERRED TO: Public Safety and Criminal Justice Committee	PROPOSAL NO: 35	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 171	ADOPTED: 02/27/1995

1995 Council Resolution Index

28	SPONSORED BY: Councillor McClamroch		
DIGEST:	reappointing Urban I. Merl, Jr. to the Alcoholic Beverage Board of Marion County		
REFERRED TO:	Rules and Public Policy Committee	PROPOSAL NO:	38
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	172
		ADOPTED:	02/27/1995
29	SPONSORED BY: Councillor Gilmer		
DIGEST:	approving the Mayor's appointment of Greg L. Henneke as Director of the Department of Capital Asset Management for a term ending December 31, 1995		
REFERRED TO:	Capital Asset Management Committee	PROPOSAL NO:	57
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	172
		ADOPTED:	02/27/1995
30	SPONSORED BY: Councillor Curry		
DIGEST:	approving the Mayor's appointment of Nancy Silvers as Deputy Mayor for a term ending December 31, 1995		
REFERRED TO:	Rules and Public Policy Committee	PROPOSAL NO:	76
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	173
		ADOPTED:	02/27/1995
31	SPONSORED BY: Councillor McClamroch		
DIGEST:	approving the Mayor's appointment of Joseph E. Loftus as Deputy Mayor and Director of the Department of Administration for a term ending December 31, 1995		
REFERRED TO:	Rules and Public Policy Committee	PROPOSAL NO:	77
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	173
		ADOPTED:	02/27/1995
32	SPONSORED BY: Councillor Dowden		
DIGEST:	renewing the Community Corrections program for fiscal year 1995- 1996 and approving the Community Corrections Advisory Board's grant application to the State		
REFERRED TO:	Public Safety and Criminal Justice Committee	PROPOSAL NO:	113
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	219
		ADOPTED:	02/27/1995
33	SPONSORED BY: Councillor Rhodes		
DIGEST:	appointing Fredric A. Hunn to the Cable Franchise Board		
REFERRED TO:	Administration and Finance Committee	PROPOSAL NO:	21
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	250
		ADOPTED:	03/20/1995
34	SPONSORED BY: Councillor McClamroch		
DIGEST:	appointing Carlton Curry to the Cable Franchise Board		
REFERRED TO:	Administration and Finance Committee	PROPOSAL NO:	178
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	251
		ADOPTED:	03/20/1995
35	SPONSORED BY: Councillor McClamroch		
DIGEST:	renominating Walter Quesenberry for appointment to the Lawrence Economic Development Board		
REFERRED TO:	Economic Development Committee	PROPOSAL NO:	107
APPROVED BY MAYOR:	Not Req.	JOURNAL PAGE:	252
		ADOPTED:	03/20/1995

1995 Council Resolution Index

36	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Lance L. Bundles to the Metropolitan Development Commission		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 179	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 252	ADOPTED: 03/20/1995
37	SPONSORED BY: Councillor McClamroch		
	DIGEST: appointing Ron Franklin to the Public Housing Board		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 181	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 253	ADOPTED: 03/20/1995
38	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappointing Rudy Hightower to the Board of Public Safety		
	REFERRED TO: Public Safety and Criminal Justice Committee	PROPOSAL NO: 31	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 251	ADOPTED: 03/20/1995
39	SPONSORED BY: Councillor Boyd		
	DIGEST: appoints Aaron E. Haith to the Public Housing Board		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 180	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 292	ADOPTED: 04/10/1995
40	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappoints Margaret Maxwell to the Marion County Commission on Youth		
	REFERRED TO: Administration and Finance Committee	PROPOSAL NO: 212	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 292	ADOPTED: 04/10/1995
41	SPONSORED BY: Councillor McClamroch		
	DIGEST: appoints Ernestine Nicholson to the Equal Opportunity Advisory Board		
	REFERRED TO: Administration and Finance Committee	PROPOSAL NO: 213	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 293	ADOPTED: 04/10/1995
42	SPONSORED BY: Councillor McClamroch		
	DIGEST: appoints Joseph M. Rink to the Metropolitan Board of Zoning Appeals II		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 214	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 293	ADOPTED: 04/10/1995
43	SPONSORED BY: Councillor McClamroch		
	DIGEST: reappoints Sara Mitten Snyder to the Indianapolis City-Market Corporation Board		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 216	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 293	ADOPTED: 04/10/1995
44	SPONSORED BY: Councillor McClamroch		
	DIGEST: appoints Chester Carpenter to the Public Housing Board		
	REFERRED TO: Metropolitan Development Committee	PROPOSAL NO: 217	
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 294	ADOPTED: 04/10/1995

1995 Council Resolution Index

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- 45 SPONSORED BY: Councillor McClamroch
DIGEST: appoints Felicia Triggs to the Urban Enterprise Association
REFERRED TO: Metropolitan Development Committee
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 294 PROPOSAL NO: 222
ADOPTED: 04/10/1995
-
- 46 SPONSORED BY: Councillor McClamroch
DIGEST: reappoints Diana Wilson Hall to the Board of Parks and Recreation
REFERRED TO: Parks and Recreation Committee
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 332 PROPOSAL NO: 218
ADOPTED: 04/24/1995
-
- 47 SPONSORED BY: Councillor McClamroch
DIGEST: reappoints Charles E. Kendall to the Board of Parks and Recreation
REFERRED TO: Parks and Recreation Committee
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 332 PROPOSAL NO: 219
ADOPTED: 04/24/1995
-
- 48 SPONSORED BY: Councillor McClamroch
DIGEST: reappoints Claudia Prosser to the Indianapolis City-Market Corporation Board
REFERRED TO: Metropolitan Development Committee
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 381 PROPOSAL NO: 215
ADOPTED: 05/08/1995
-
- 49 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Ray Battey to the City-County Administrative Board
REFERRED TO: Administration and Finance Committee
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 381 PROPOSAL NO: 268
ADOPTED: 05/08/1995
-
- 50 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing William B. Powers to the Citizens Police Complaint Board
REFERRED TO: Public Safety and Criminal Justice Committee
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 382 PROPOSAL NO: 272
ADOPTED: 05/08/1995
-
- 51 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Fred G. Johnston, Jr. to the Board of Ethics
REFERRED TO: Rules and Public Policy Committee
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 382 PROPOSAL NO: 274
ADOPTED: 05/08/1995
-
- 52 SPONSORED BY: Councillor McClamroch
DIGEST: reappointing Philip D. Pecar to the Health & Hospital Corporation Board of Trustees
REFERRED TO: Municipal Corporations Committee
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 403 PROPOSAL NO: 29
ADOPTED: 05/22/1995
-
- 53 SPONSORED BY: Councillors Schneider, McClamroch, Dowden
DIGEST: appoints James E. Logsdon to the Indianapolis-Marion County Public Library Board
REFERRED TO: Municipal Corporations Committee
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: PROPOSAL NO: 315
ADOPTED: 05/22/1995
-

1995 Council Resolution Index

54	SPONSORED BY: Councillor McClamroch DIGEST: appoints John R. Curtis to the Fort Harrison Reuse Authority REFERRED TO: Economic Development Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 435	PROPOSAL NO: 363 ADOPTED: 06/12/1995
55	SPONSORED BY: Councillor McClamroch DIGEST: reappoints Judy Seubert to the Board of Ethics REFERRED TO: Rules and Public Policy Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 480	PROPOSAL NO: 275 ADOPTED: 06/26/1995
56	SPONSORED BY: Councillor McClamroch DIGEST: appoints James Caughey to the Beech Grove Library Board REFERRED TO: Municipal Corporations Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 480	PROPOSAL NO: 343 ADOPTED: 06/26/1995
57	SPONSORED BY: Councillors McClamroch, SerVaas DIGEST: appoints Dr. Philip Borst to the Capital Improvement Board of Managers REFERRED TO: Municipal Corporations Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 604	PROPOSAL NO: 440 ADOPTED: 08/28/1995
58	SPONSORED BY: Councillor McClamroch DIGEST: appoints Charles Hiltunen to the Cable Franchise Board REFERRED TO: Administration and Finance Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 605	PROPOSAL NO: 480 ADOPTED: 08/28/1995
59	SPONSORED BY: Councillors Boyd, Gray, Jones DIGEST: instructs the Municipal Corporations Committee of the Indianapolis City-County Council to conduct an information sharing meeting concerning the Indianapolis Metro system REFERRED TO: Whole Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 760	PROPOSAL NO: 602 ADOPTED: 09/11/1995
60	SPONSORED BY: Councillor McClamroch DIGEST: appoints William Brown to the Air Pollution Control Board REFERRED TO: Public Works Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 761	PROPOSAL NO: 489 ADOPTED: 09/11/1995
61	SPONSORED BY: Councillor Curry DIGEST: affirms the policy of providing deferred compensation for county elected officials REFERRED TO: Rules and Public Policy Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 804	PROPOSAL NO: 560 ADOPTED: 09/11/1995
62	SPONSORED BY: Councillor McClamroch DIGEST: appoints Eli Bloom to the Indianapolis Greenways Development Committee REFERRED TO: Parks and Recreation Committee APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 810	PROPOSAL NO: 524 ADOPTED: 09/25/1995

1995 Council Resolution Index

- 63 SPONSORED BY: Councillor McClamroch
DIGEST: appoints Jerry Papenmeir to the Indianapolis Greenways Development Committee
REFERRED TO: Parks and Recreation Committee PROPOSAL NO: 526
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 810 ADOPTED: 09/25/1995
-
- 64 SPONSORED BY: Councillor McClamroch
DIGEST: approves the Mayor's appointment of Irma J. Neal as Deputy Mayor of Neighborhoods of the City of Indianapolis
REFERRED TO: Rules and Public Policy Committee PROPOSAL NO: 588
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 811 ADOPTED: 09/25/1995
-
- 65 SPONSORED BY: Councillor Franklin
DIGEST: supports an application to the Indiana Enterprise Zone Board for the expansion of the Indianapolis Enterprise Zone
REFERRED TO: Whole Committee PROPOSAL NO: 700
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 975 ADOPTED: 10/16/1995
-
- 66 SPONSORED BY: Councillor McClamroch
DIGEST: establishes a special METRO Bus Task Force
REFERRED TO: Whole Committee PROPOSAL NO: 714
APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1028 ADOPTED: 10/16/1995
-
- 67 SPONSORED BY: Councillor McClamroch
DIGEST: appoints Walter Blackburn to the Indianapolis Greenways Development Committee
REFERRED TO: Parks and Recreation Committee PROPOSAL NO: 617
APPROVED BY MAYOR: 11/03/1996 JOURNAL PAGE: 1038 ADOPTED: 10/30/1995
-
- 68 SPONSORED BY: Councillor McClamroch
DIGEST: appoints Katherine A. Price to the Indianapolis Greenways Development Committee
REFERRED TO: Parks and Recreation Committee PROPOSAL NO: 618
APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1039 ADOPTED: 10/30/1995
-
- 69 SPONSORED BY: Councillor McClamroch
DIGEST: appoints Robert Weddle to the Indianapolis Greenways Development Committee
REFERRED TO: Parks and Recreation Committee PROPOSAL NO: 619
APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1039 ADOPTED: 10/30/1995
-
- 70 SPONSORED BY: Councillor Dowden
DIGEST: confirms the Marion County Public Defender Board's nomination of David Cook as Marion County Chief Public Defender
REFERRED TO: Public Safety and Criminal Justice Committee PROPOSAL NO: 559
APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1040 ADOPTED: 10/30/1995
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1995 Council Resolution Index

71 SPONSORED BY: Councillor Hinkle

DIGEST: requests the Metropolitan Development Commission to initiate and adopt amendments to the Commercial and the Special Use Zoning Ordinance so as to require that commercial bingo operations would be permitted only in a SU-44 or similar district established for premises the primary or dominate use of which is for gambling activities

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 712

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1074

ADOPTED: 10/30/1995

72 SPONSORED BY: Councillor SerVaas

DIGEST: approves a schedule of regular council meetings for the year 1996

REFERRED TO: Whole Committee

PROPOSAL NO: 780

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1096

ADOPTED: 11/20/1995

73 SPONSORED BY: Councillor McClamroch

DIGEST: selects Marvin Hawkins as its appointment to committees established to determine common construction wages in Marion County

REFERRED TO: Rules and Public Policy Committee

PROPOSAL NO: 713

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1097

ADOPTED: 11/20/1995

74 SPONSORED BY: Councillor McClamroch

DIGEST: reappoints Donald R. Hudson to the Indianapolis-Marion County Building Authority Board of Trustees

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 718

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1098

ADOPTED: 11/20/1995

75 SPONSORED BY: Councillors McClamroch, Moriarty Adams

DIGEST: appoints David McClure to the Animal Control Board

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 726

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1098

ADOPTED: 11/20/1995

1995 Special Resolution Index

1	SPONSORED BY: Councillors O'Dell, Ruhmkorff DIGEST: recognizing the public service of Lawrence L. "Larry" Buell REFERRED TO: Whole Committee APPROVED BY MAYOR: 01/12/1995 JOURNAL PAGE: 6	PROPOSAL NO: 40 ADOPTED: 01/09/1995
2	SPONSORED BY: Councillors Smith, Gray, Dowden, DIGEST: concerning the 1999 World Police and Fire Games REFERRED TO: Whole Committee APPROVED BY MAYOR: 01/12/1995 JOURNAL PAGE: 7	PROPOSAL NO: 41 ADOPTED: 01/09/1995
3	SPONSORED BY: Councillor Hinkle DIGEST: remembering Fred C. "Bud" Tucker, Jr. REFERRED TO: Whole Committee APPROVED BY MAYOR: 01/12/1995 JOURNAL PAGE: 7	PROPOSAL NO: 52 ADOPTED: 01/09/1995
4	SPONSORED BY: Councillors Rhodes, Schneider, SerVaas DIGEST: recognizing the State Champion North Central High School Boys Soccer Team REFERRED TO: Whole Committee APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 19	PROPOSAL NO: 81 ADOPTED: 01/23/1995
5	SPONSORED BY: Councillors Coughenour, Mullin DIGEST: recognizing the 1994 state football champion Roncalli High School Rebels REFERRED TO: Whole Committee APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 20	PROPOSAL NO: 82 ADOPTED: 01/23/1995
6	SPONSORED BY: Councillors Beadling, Ruhmkorff DIGEST: commending Yellow Cab and the new assistance of St. Vincent and Community Hospitals for free taxi rides home on New Year's Eve REFERRED TO: Whole Committee APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 20	PROPOSAL NO: 83 ADOPTED: 01/23/1995
7	SPONSORED BY: Councillor Rhodes DIGEST: approving a change in ownership of the cable television franchise now owned by Time Warner Entertainment Company, L.P. REFERRED TO: Administration and Finance Committee APPROVED BY MAYOR: 01/26/1995 JOURNAL PAGE: 85	PROPOSAL NO: 42 ADOPTED: 01/23/1995
8	SPONSORED BY: Councillor Golc DIGEST: congratulating the Washington High School Continentals City Basketball Champions REFERRED TO: Whole Committee APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 98	PROPOSAL NO: 143 ADOPTED: 02/13/1995
9	SPONSORED BY: Councillors Dowden, Short DIGEST: recognizing former Sheriff Joseph G. McAtee REFERRED TO: Whole Committee APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 99	PROPOSAL NO: 144 ADOPTED: 02/13/1995

1995 Special Resolution Index

10	SPONSORED BY: Councillors Short, Dowden DIGEST: recognizing Prosecutor Jeffrey A. Modisett REFERRED TO: Whole Committee APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 99	PROPOSAL NO: 145 ADOPTED: 02/13/1995
11	SPONSORED BY: Councillor Beadling DIGEST: recognizing the community of Oaklandon REFERRED TO: Whole Committee APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 100	PROPOSAL NO: 146 ADOPTED: 02/13/1995
12	SPONSORED BY: Councillors Gilmer, SerVaas DIGEST: concerning the Smithsonian exhibit of the Enola Gay REFERRED TO: Whole Committee APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 101	PROPOSAL NO: 147 ADOPTED: 02/13/1995
13	SPONSORED BY: Councillors Boyd, Coughenour, Curry, DIGEST: encouraging citizens to share with law enforcement officials information about specific crimes and crime related activity in their communities REFERRED TO: Whole Committee APPROVED BY MAYOR: 02/16/1995 JOURNAL PAGE: 102	PROPOSAL NO: 148 ADOPTED: 02/13/1995
14	SPONSORED BY: Councillor Dowden DIGEST: recognizing the 67th Fire Department Instructors' Conference in Indianapolis REFERRED TO: Whole Committee APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 168	PROPOSAL NO: 169 ADOPTED: 02/27/1995
15	SPONSORED BY: Councillor O'Dell DIGEST: recognizing the East Indianapolis Sertoma Club REFERRED TO: Whole Committee APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 168	PROPOSAL NO: 170 ADOPTED: 02/27/1995
16	SPONSORED BY: Councillors Hinkle, Curry, Giffin, Shambaugh DIGEST: remembering the life of former Deputy Mayor Harry E. Eakin REFERRED TO: Whole Committee APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 169	PROPOSAL NO: 171 ADOPTED: 02/27/1995
17	SPONSORED BY: Councillor Beadling DIGEST: recognizing the 50th anniversary of the Lawrence Township Journal newspaper REFERRED TO: Whole Committee APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 170	PROPOSAL NO: 182 ADOPTED: 02/27/1995
18	SPONSORED BY: Councillors Gilmer, Short DIGEST: approving a public purpose grant to USS Indianapolis Survivors Memorial Organization, Inc. in the amount of \$17,500 REFERRED TO: Administration and Finance Committee APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 218	PROPOSAL NO: 102 ADOPTED: 02/27/1995

1995 Special Resolution Index

19 SPONSORED BY: Councillor Rhodes

DIGEST: approving a public purpose grant to Central Indiana Radio Reading, Inc. in the amount of \$25,000 for the purpose of providing radio reading programs for the blind and print-disabled in Marion County

REFERRED TO: Administration and Finance Committee

PROPOSAL NO: 103

APPROVED BY MAYOR: 03/03/1995 JOURNAL PAGE: 219

ADOPTED: 02/27/1995

20 SPONSORED BY: Councillor Smith

DIGEST: recognizing Sgt. Gerald L. Young

REFERRED TO: Whole Committee

PROPOSAL NO: 220

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 245

ADOPTED: 03/20/1995

21 SPONSORED BY: Councillor O'Dell

DIGEST: concerning the Marion County Healthcare Center

REFERRED TO: Whole Committee

PROPOSAL NO: 221

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 246

ADOPTED: 03/20/1995

22 SPONSORED BY: Councillor Borst

DIGEST: amending S.R. 43, 1993, as amended, by extending the expiration date for Brulin & Company, Inc. through September 30, 1995 (2920 Dr. Andrew J. Brown Avenue, District 22)

REFERRED TO: Economic Development Committee

PROPOSAL NO: 185

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 260

ADOPTED: 03/20/1995

23 SPONSORED BY: Councillor Borst

DIGEST: an inducement resolution for El-Beulah Retirement Village, Inc. in an amount not to exceed \$4,500,000 for the acquisition, construction, installation and equipping of 68 unit multi-family residential rental facility for the elderly consisting of 34 one-story buildings containing two living units each to be located at 7606 East 82nd Street, on approximately 12.4 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 4)

REFERRED TO: Economic Development Committee

PROPOSAL NO: 186

APPROVED BY MAYOR: 03/27/1995 JOURNAL PAGE: 261

ADOPTED: 03/20/1995

24 SPONSORED BY: Councillors Hinkle, Brents, Giffin, Golc,

DIGEST: recognizes the state high school basketball champion Ben Davis High School Giants

REFERRED TO: Whole Committee

PROPOSAL NO: 247

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 289

ADOPTED: 04/10/1995

25 SPONSORED BY: Councillor Brents

DIGEST: recognizes Mary Brown Bullock

REFERRED TO: Whole Committee

PROPOSAL NO: 248

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 290

ADOPTED: 04/10/1995

26 SPONSORED BY: Councillor Williams

DIGEST: commends the St. Joseph Neighborhood and the Riley Area Revitalization Program's work to retain a city police substation

REFERRED TO: Whole Committee

PROPOSAL NO: 249

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 290

ADOPTED: 04/10/1995

1995 Special Resolution Index

27 SPONSORED BY: Councillors McClamroch, Jimison

DIGEST: recognizes the Indiana University School of Law-Indianapolis Centennial

REFERRED TO: Whole Committee

PROPOSAL NO: 250

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 291

ADOPTED: 04/10/1995

28 SPONSORED BY: Councillor Hinkle

DIGEST: recognizing Indiana's "Mr. Basketball," Damon Frierson

REFERRED TO: Whole Committee

PROPOSAL NO: 288

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 328

ADOPTED: 04/24/1995

29 SPONSORED BY: Councillor O'Dell

DIGEST: recognizing the 25th Anniversary of Public Broadcasting in Indianapolis

REFERRED TO: Whole Committee

PROPOSAL NO: 289

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 329

ADOPTED: 04/24/1995

30 SPONSORED BY: Councillors Beadling, Rhodes

DIGEST: remembering the life of Richard "Dick" Hunt

REFERRED TO: Whole Committee

PROPOSAL NO: 290

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 432

ADOPTED: 06/12/1995

31 SPONSORED BY: Councillor Williams

DIGEST: recognizing the Indiana Pacers and the Landmark to Peace

REFERRED TO: Whole Committee

PROPOSAL NO: 291

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 329

ADOPTED: 04/24/1995

32 SPONSORED BY: Councillor Dowden

DIGEST: recognizing the National Day of Prayer

REFERRED TO: Whole Committee

PROPOSAL NO: 292

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 330

ADOPTED: 04/24/1995

33 SPONSORED BY: Councillors Smith, Coughenour

DIGEST: supporting the AMTRAK Beech Grove facility

REFERRED TO: Whole Committee

PROPOSAL NO: 293

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 331

ADOPTED: 04/24/1995

34 SPONSORED BY: Councillor Borst

DIGEST: an Inducement Resolution for Willowbrook Park, L.P., a to-be-formed Indiana limited partnership, to proceed with the acquisition, renovation and equipping of the existing 385 unit multi-family residential rental project located at 4803 Round Lake Road on approximately 28.44 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 7)

REFERRED TO: Economic Development Committee

PROPOSAL NO: 264

APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 336

ADOPTED: 04/24/1995

1995 Special Resolution Index

- 35 SPONSORED BY: Councillor Gilmer
DIGEST: authorizes the Department of Capital Asset Management to lease its Civil Engineering Lab and certain equipment to Snell Environmental Group, Inc.
REFERRED TO: Capital Asset Management Committee PROPOSAL NO: 237
APPROVED BY MAYOR: 05/01/1995 JOURNAL PAGE: 371 ADOPTED: 04/24/1995
-
- 36 SPONSORED BY: Councillors Coughenour, Williams
DIGEST: recognizing Municipal Government Week
REFERRED TO: Whole Committee PROPOSAL NO: 335
APPROVED BY MAYOR: 05/12/1995 JOURNAL PAGE: 380 ADOPTED: 05/08/1995
-
- 37 SPONSORED BY: Councillor West
DIGEST: determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Metropolitan Development
REFERRED TO: Metropolitan Development Committee PROPOSAL NO: 98
APPROVED BY MAYOR: 05/12/1995 JOURNAL PAGE: 396 ADOPTED: 05/08/1995
-
- 38 SPONSORED BY: Councillor Rhodes
DIGEST: authorizing the City by and through its Department of Administration to transfer one 1970 Maxium Pumper to the Indianapolis Fire Buffs and Fire Department Museum, Inc.
REFERRED TO: Administration and Finance Committee PROPOSAL NO: 266
APPROVED BY MAYOR: 05/12/1995 JOURNAL PAGE: 397 ADOPTED: 05/08/1995
-
- 39 SPONSORED BY: Councillor Moriarty Adams
DIGEST: recognizing former Indianapolis Star reporter William E. "Bill" Anderson
REFERRED TO: Whole Committee PROPOSAL NO: 350
APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 401 ADOPTED: 05/22/1995
-
- 40 SPONSORED BY: Councillor Golc
DIGEST: recognizing George Washington High School
REFERRED TO: Whole Committee PROPOSAL NO: 351
APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 402 ADOPTED: 05/22/1995
-
- 41 SPONSORED BY: Councillor Beadling
DIGEST: recognizing Mary Fendrich Hulman
REFERRED TO: Whole Committee PROPOSAL NO: 352
APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 402 ADOPTED: 05/22/1995
-
- 42 SPONSORED BY: Councillor Borst
DIGEST: amends S.R. No. 78, 1994, as amended, by extending the expiration date for Post Pointe Partners, Ltd. through November 30, 1995 (9027 East 39th Place, District 14)
REFERRED TO: Economic Development Committee PROPOSAL NO: 336
APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 406 ADOPTED: 05/22/1995
-

1995 Special Resolution Index

43 SPONSORED BY: Councillor Borst

DIGEST: an Inducement Resolution for the Indianapolis Water Company in an amount not to exceed \$18,000,000 for additions to and expansions of the Indianapolis Water Company's existing operating facilities located within the City which will be used to provide water to users located in the City

REFERRED TO: Economic Development Committee

PROPOSAL NO: 337

APPROVED BY MAYOR: 05/26/1995 JOURNAL PAGE: 407

ADOPTED: 05/22/1995

44 SPONSORED BY: Councillor Borst

DIGEST: recognizes the newest development phase of the White River State Park

REFERRED TO: Whole Committee

PROPOSAL NO: 394

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 433

ADOPTED: 06/12/1995

45 SPONSORED BY: Councillors Hinkle, Jimison

DIGEST: concerns the United Way of Central Indiana's Day of Caring

REFERRED TO: Whole Committee

PROPOSAL NO: 395

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 434

ADOPTED: 06/12/1995

46 SPONSORED BY: Councillor Franklin

DIGEST: recognizing the Marion County Sheriff's Police Athletic League Playground Park at 42nd Street and Mitthoefer Road

REFERRED TO: Whole Committee

PROPOSAL NO: 396

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 435

ADOPTED: 06/12/1995

47 SPONSORED BY: Councillor Dowden

DIGEST: determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Public Safety

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 344

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 457

ADOPTED: 06/12/1995

48 SPONSORED BY: Councillor West

DIGEST: approving the disbursement of \$3,000,000 of Community Development Block Grant funds

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 364

APPROVED BY MAYOR: 06/16/1995 JOURNAL PAGE: 458

ADOPTED: 06/12/1995

49 SPONSORED BY: Councillor Hinkle

DIGEST: recognizes the Ben Davis Special Olympics Volleyball Team

REFERRED TO: Whole Committee

PROPOSAL NO: 420

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 476

ADOPTED: 06/26/1995

50 SPONSORED BY: Councillor Hinkle

DIGEST: recognizes the Wayne Township Fire Department

REFERRED TO: Whole Committee

PROPOSAL NO: 421

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 477

ADOPTED: 06/26/1995

1995 Special Resolution Index

- 51 SPONSORED BY: Councillors Franklin, Short
DIGEST: recognizes Christine "Chris" Johnson
REFERRED TO: Whole Committee
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 477
PROPOSAL NO: 422
ADOPTED: 06/26/1995
-
- 52 SPONSORED BY: Councillor Dowden
DIGEST: recognizes J. Lloyd Grannan
REFERRED TO: Whole Committee
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 478
PROPOSAL NO: 423
ADOPTED: 06/26/1995
-
- 53 SPONSORED BY: Councillors Curry, Hinkle, Giffin
DIGEST: approves the issuance of \$13 million of Notes for the purpose of paying the costs of certain infrastructure improvements in the Decatur Township portion of the Airport Industrial Economic Development Area
REFERRED TO: Economic Development Committee
APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 620
PROPOSAL NO: 483
ADOPTED: 08/28/1995
-
- 54 SPONSORED BY: Councillor O'Dell
DIGEST: recognizes the contributions of Councillor Betty Ruhmkorff
REFERRED TO: Whole Committee
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 479
PROPOSAL NO: 425
ADOPTED: 06/26/1995
-
- 55 SPONSORED BY: Councillors Boyd, SerVaas, McClamroch
DIGEST: welcomes Dr. Esperanza Zendejas to the City and into the position of Superintendent of Public Schools
REFERRED TO: Whole Committee
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 472
PROPOSAL NO: 426
ADOPTED: 06/26/1995
-
- 56 SPONSORED BY: Councillor Borst
DIGEST: amends S.R. No. 93, 1994, by extending the expiration date for Pleasant Run Children's Homes, Inc. through December 31, 1995, and changing the proposed location of the project to 2405 North Tibbs Avenue (District 16)
REFERRED TO: Economic Development Committee
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 482
PROPOSAL NO: 408
ADOPTED: 06/26/1995
-
- 57 SPONSORED BY: Councillor Borst
DIGEST: amends S.R. No. 54, 1994, by extending the expiration date for North American Laboratory Company and SOHL Associates through December 31, 1995 (District 9)
REFERRED TO: Economic Development Committee
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 484
PROPOSAL NO: 409
ADOPTED: 06/26/1995
-
- 58 SPONSORED BY: Councillor Borst
DIGEST: amends S.R. No. 84, 1990, by extending the expiration date for Meadows Revival, Inc. through December 31, 1995 (District 11)
REFERRED TO: Economic Development Committee
APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 485
PROPOSAL NO: 410
ADOPTED: 06/26/1995
-

1995 Special Resolution Index

59 SPONSORED BY: Councillor Borst

DIGEST: an Inducement Resolution for Sutton Place Apartments, L.P., an Indiana limited partnership, to proceed with the acquisition, renovation and equipping of the existing 360-unit multi-family residential rental project located at 9350 East 43rd Street on approximately 35 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 14)

REFERRED TO: Economic Development Committee

PROPOSAL NO: 411

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 486

ADOPTED: 06/26/1995

60 SPONSORED BY: Councillor West

DIGEST: approves the disbursement of the additional \$2,814,548 of Community Development Block Grant funds appropriated June 12, 1995

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 412

APPROVED BY MAYOR: 06/30/1995 JOURNAL PAGE: 480

ADOPTED: 06/26/1995

61 SPONSORED BY: Councillor O'Dell

DIGEST: concerns Indianapolis, U.S.A., and Scarborough, Canada

REFERRED TO: Whole Committee

PROPOSAL NO: 462

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 527

ADOPTED: 07/17/1995

62 SPONSORED BY: Councillors Jimison, Boyd, Jones

DIGEST: recognizes the 25th anniversary of Indiana Black Expo

REFERRED TO: Whole Committee

PROPOSAL NO: 463

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 527

ADOPTED: 07/17/1995

63 SPONSORED BY: Councillor Mullin

DIGEST: concerns the Garfield Park Grove of Remembrance

REFERRED TO: Whole Committee

PROPOSAL NO: 464

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 528

ADOPTED: 07/17/1995

64 SPONSORED BY: Councillors Williams, Rhodes, SerVaas

DIGEST: asks the Metropolitan Development Commission to enforce long-standing policy with respect to advertising signs inside the I-465 beltway

REFERRED TO: Whole Committee

PROPOSAL NO: 465

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 529

ADOPTED: 07/17/1995

65 SPONSORED BY: Councillor Borst

DIGEST: an inducement resolution for Faris Avenue Limited Partnership in an amount not to exceed \$8 million to proceed with the acquisition, renovation and equipping of the existing 354 unit multi-family residential rental facility located at 6875 Faris Avenue (District 11)

REFERRED TO: Economic Development Committee

PROPOSAL NO: 438

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 535

ADOPTED: 07/17/1995

1995 Special Resolution Index

66 SPONSORED BY: Councillor Borst

DIGEST: an inducement resolution for Emerald Green Housing Partners, Ltd, in an amount not to exceed \$12,875,000 to proceed with the acquisition, renovation and equipping of the existing 192 unit multi-family residential rental facility plus the construction of an additional 184 multi-family residential rental unit located at 6363 Commons Drive (District 1)

REFERRED TO: Economic Development Committee

PROPOSAL NO: 439

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 537

ADOPTED: 07/17/1995

67 SPONSORED BY: Councillors Rhodes, Schneider, Dowden,

DIGEST: concerns movie video tape distribution by the Indianapolis-Marion County Public Library

REFERRED TO: Municipal Corporations Committee

PROPOSAL NO: 424

APPROVED BY MAYOR: 07/24/1995 JOURNAL PAGE: 547

ADOPTED: 07/17/1995

68 SPONSORED BY: Councillor Jones

DIGEST: recognizes the 100th Anniversary of "The Indianapolis Recorder"

REFERRED TO: Whole Committee

PROPOSAL NO: 495

APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 565

ADOPTED: 08/01/1995

69 SPONSORED BY: Councillor Rhodes

DIGEST: recognizes Mary A. "Dubbie" Buckler

REFERRED TO: Whole Committee

PROPOSAL NO: 496

APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 566

ADOPTED: 08/01/1995

70 SPONSORED BY: Councillor Jimison

DIGEST: requests the city administration to conduct a feasibility study about placing an edu-care center in the City-County Building

REFERRED TO: Whole Committee

PROPOSAL NO: 497

APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 567

ADOPTED: 08/01/1995

71 SPONSORED BY: Councillor West

DIGEST: amends Special Resolution No. 48, 1995 to correct the schedule of approved Community Development Block Grant programs

REFERRED TO: Metropolitan Development Committee

PROPOSAL NO: 479

APPROVED BY MAYOR: 08/04/1995 JOURNAL PAGE: 591

ADOPTED: 08/01/1995

72 SPONSORED BY: Councillors Hinkle, Shambaugh, O'Dell

DIGEST: recognizes the 25 years of city service by Gary Isterling

REFERRED TO: Whole Committee

PROPOSAL NO: 554

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 600

ADOPTED: 08/28/1995

73 SPONSORED BY: Councillor Short

DIGEST: recognizes the South East Community Organization

REFERRED TO: Whole Committee

PROPOSAL NO: 555

APPROVED BY MAYOR: 09/01/1995 JOURNAL PAGE: 601

ADOPTED: 08/28/1995

1995 Special Resolution Index

74	SPONSORED BY: Councillor SerVaas		
DIGEST:	urges the completion of I-69 from Indianapolis to Texas		
REFERRED TO:	Whole Committee	PROPOSAL NO:	556
APPROVED BY MAYOR:	09/01/1995	JOURNAL PAGE:	602
		ADOPTED:	08/28/1995
75	SPONSORED BY: Councillor Curry		
DIGEST:	urges full membership of the Republic of China (Taiwan) by the United Nations		
REFERRED TO:	Whole Committee	PROPOSAL NO:	557
APPROVED BY MAYOR:	09/01/1995	JOURNAL PAGE:	603
		ADOPTED:	08/28/1995
76	SPONSORED BY: Councillor Beadling		
DIGEST:	recognizes the 75th Anniversary of the Women's Suffrage Amendment		
REFERRED TO:	Whole Committee	PROPOSAL NO:	558
APPROVED BY MAYOR:	09/01/1995	JOURNAL PAGE:	604
		ADOPTED:	08/28/1995
77	SPONSORED BY: Councillor Smith		
DIGEST:	authorizes the lease of office space for the Franklin Township Assessor at 4531 Independence Square		
REFERRED TO:	Administration and Finance Committee	PROPOSAL NO:	481
APPROVED BY MAYOR:	09/01/1995	JOURNAL PAGE:	667
		ADOPTED:	08/28/1995
78	SPONSORED BY: Councillor Rhodes		
DIGEST:	approves a public purpose grant in the amount of \$65,000 to Indiana University at Indianapolis for the purpose of financing educational access cable television programming		
REFERRED TO:	Administration and Finance Committee	PROPOSAL NO:	482
APPROVED BY MAYOR:	09/01/1995	JOURNAL PAGE:	668
		ADOPTED:	08/28/1995
79	SPONSORED BY: Councillors Mullin, Borst, Coughenour		
DIGEST:	recognizes the Bible Bowl Team of Southport Heights Christian Church		
REFERRED TO:	Whole Committee	PROPOSAL NO:	601
APPROVED BY MAYOR:	09/15/1995	JOURNAL PAGE:	756
		ADOPTED:	09/11/1995
80	SPONSORED BY: Councillor Gray		
DIGEST:	recognizes the Marian College national champion track cycling team		
REFERRED TO:	Whole Committee	PROPOSAL NO:	653
APPROVED BY MAYOR:	09/28/1995	JOURNAL PAGE:	810
		ADOPTED:	09/25/1995
81	SPONSORED BY: Councillor Borst		
DIGEST:	amends S.R. No. 45, 1994, as amended, by extending the expiration date for Brulin & Company, Inc. through April 30, 1996 at 2920 Dr. Andrew J. Brown Avenue (District 22)		
REFERRED TO:	Economic Development Committee	PROPOSAL NO:	610
APPROVED BY MAYOR:	09/28/1995	JOURNAL PAGE:	816
		ADOPTED:	09/25/1995
82	SPONSORED BY: Councillor Borst		
DIGEST:	amends S.R. No. 23, 1995, by extending the expiration date for El-Beulah Retirement Village, Inc. through April 30, 1996 at 7606 East 82nd Street (District 4)		
REFERRED TO:	Economic Development Committee	PROPOSAL NO:	611
APPROVED BY MAYOR:	09/28/1995	JOURNAL PAGE:	817
		ADOPTED:	09/25/1995

1995 Special Resolution Index

83 SPONSORED BY: Councillor Borst

DIGEST: an inducement resolution for Nottingham Housing Partners, Ltd. in an amount not to exceed \$19,900,000 to proceed with the acquisition, renovation and equipping of the existing 264 unit multi-family residential rental facility plus the construction of an additional 288 multi-family residential rental units located at 9300 East 21st Street (District 12)

REFERRED TO: Economic Development Committee

PROPOSAL NO: 613

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 821

ADOPTED: 09/25/1995

84 SPONSORED BY: Councillor Short

DIGEST: recognizes the 503rd anniversary of Christopher Columbus' voyage to the New World and the Caito family of Indianapolis

REFERRED TO: Whole Committee

PROPOSAL NO: 699

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 974

ADOPTED: 10/16/1995

85 SPONSORED BY: Councillors Giffin, Boyd, Dowden, Gilmer

DIGEST: remembers the life and contributions of Thomas C. Hasbrook

REFERRED TO: Whole Committee

PROPOSAL NO: 698

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 973

ADOPTED: 10/16/1995

86 SPONSORED BY: Councillor SerVaas

DIGEST: recognizes the Korean and Vietnam War Veterans Memorials in Indianapolis

REFERRED TO: Whole Committee

PROPOSAL NO: 749

APPROVED BY MAYOR: 10/03/1995 JOURNAL PAGE: 1037

ADOPTED: 10/30/1995

87 SPONSORED BY: Councillor Borst

DIGEST: amends S.R. No. 34, 1995, by increasing the amount of the inducement resolution from \$15,000,000 to \$17,000,000 and by extending the expiration date through May 31, 1996 for Willowbrook Park, L.P. (4803 Round Lake Road - District 7)

REFERRED TO: Economic Development Committee

PROPOSAL NO: 715

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1044

ADOPTED: 10/30/1995

88 SPONSORED BY: Councillors O'Dell, Tilford

DIGEST: recognizes students Stephen Irons and Joseph "Joe" McIntosh

REFERRED TO: Whole Committee

PROPOSAL NO: 777

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1094

ADOPTED: 11/20/1995

89 SPONSORED BY: Councillors Hinkle, Giffin

DIGEST: recognizes the Ben Davis Cross Country Team State Champions

REFERRED TO: Whole Committee

PROPOSAL NO: 778

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1095

ADOPTED: 11/20/1995

90 SPONSORED BY: Councillor Beadling

DIGEST: recognizes Bob Gregory's Coats for Kids Program

REFERRED TO: Whole Committee

PROPOSAL NO: 779

APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1095

ADOPTED: 11/20/1995

1995 Special Resolution Index

91	SPONSORED BY: Councillor Jimison DIGEST: recognizes Reverend Dr. Andrew J. Brown REFERRED TO: Whole Committee APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1093	PROPOSAL NO: 803 ADOPTED: 11/20/1995
92	SPONSORED BY: Councillor Borst DIGEST: amends S.R. No. 78, 1994, as amended, by extending the expiration date for Post Pointe Partners, Ltd, through June 30, 1996 at 9027 East 39th Place (District 14) REFERRED TO: Economic Development Committee APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1102	PROPOSAL NO: 771 ADOPTED: 11/20/1995
93	SPONSORED BY: Councillor Borst DIGEST: an inducement resolution for Crossing Partners, L.P., in an amount not to exceed \$7,700,000 to proceed with the acquisition, renovation and equipping of the existing 240 unit multi-family residential rental facility located at 4000 North Franklin Road (District 12) REFERRED TO: Economic Development Committee APPROVED BY MAYOR: 11/28/1995 JOURNAL PAGE: 1107	PROPOSAL NO: 774 ADOPTED: 11/20/1995
94	SPONSORED BY: Councillor Coughenour DIGEST: recognizes Michael B. Stayton REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1172	PROPOSAL NO: 804 ADOPTED: 12/11/1995
95	SPONSORED BY: Councillors SerVaas, McClamroch, Boyd DIGEST: recognizes the public service of Councillor Linda Beadling REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1173	PROPOSAL NO: 805 ADOPTED: 12/11/1995
96	SPONSORED BY: Councillors SerVaas, McClamroch, Boyd DIGEST: recognizes the public service of Councillor Ken Giffin REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1173	PROPOSAL NO: 806 ADOPTED: 12/11/1995
97	SPONSORED BY: Councillors SerVaas, McClamroch, Boyd DIGEST: recognizes the public service of Councillor Z. Mae Jimison REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1174	PROPOSAL NO: 807 ADOPTED: 12/11/1995
98	SPONSORED BY: Councillors SerVaas, McClamroch, Boyd DIGEST: recognizes the public service of Councillor Timothy M. Mullin REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1175	PROPOSAL NO: 808 ADOPTED: 12/11/1995
99	SPONSORED BY: Councillors SerVaas, McClamroch, Boyd, DIGEST: recognizes the public service of Councillor Stuart W. Rhodes REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1175	PROPOSAL NO: 809 ADOPTED: 12/11/1995

1995 Special Resolution Index

100	SPONSORED BY: Councillors SerVaas, McClamroch, Boyd, DIGEST: recognizes the public service of Councillor Stephen R. West REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1176	PROPOSAL NO: 810 ADOPTED: 12/11/1995
101	SPONSORED BY: Councillors Golc, Mullin DIGEST: urges the Legislature to increase the penalty for feticide REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1177	PROPOSAL NO: 811 ADOPTED: 12/11/1995
102	SPONSORED BY: Councillor Borst DIGEST: concerns Purdue University REFERRED TO: Whole Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1178	PROPOSAL NO: 812 ADOPTED: 12/11/1995
103	SPONSORED BY: Councillor Borst DIGEST: a special resolution for The Malachi Corporation, Inc., consenting to the City of Lawrence, Indiana issuing its economic development revenue bonds in an amount not to exceed \$6,500,000 for the acquisition, renovation and equipping of the four existing nursing homes located at 1747 North Rural Street, 901 North East Street, 1118 East 46th Street, and 1910 North Delaware Street (Districts 6, 22) REFERRED TO: Economic Development Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1181	PROPOSAL NO: 775 ADOPTED: 12/11/1995
104	SPONSORED BY: Councillor Borst DIGEST: amends S.R. No. 84, 1990 as amended, by extending the expiration date for Meadows Revival, Inc. through July 31, 1996 at 38th Street and Meadows Drive (District 11) REFERRED TO: Economic Development Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1182	PROPOSAL NO: 813 ADOPTED: 12/11/1995
105	SPONSORED BY: Councillor Borst DIGEST: an inducement resolution for Banner Investments, Inc., in an amount not to exceed \$8,250,000 to proceed with the acquisition, renovation and equipping of the existing 304 unit multi-family residential rental facility located at 4444 Mission Drive (District 1) REFERRED TO: Economic Development Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1188	PROPOSAL NO: 816 ADOPTED: 12/11/1995
106	SPONSORED BY: Councillor Curry DIGEST: approves extension of cable franchise of American Cablevision of Indianapolis until June 1, 1996 REFERRED TO: Rules and Public Policy Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1229	PROPOSAL NO: 802 ADOPTED: 12/11/1995
107	SPONSORED BY: Councillor Dowden DIGEST: approves the disbursement of \$729,232.75 from the Drug Free Community Fund for various county agencies REFERRED TO: Public Safety and Criminal Justice Committee APPROVED BY MAYOR: 12/18/1995 JOURNAL PAGE: 1234	PROPOSAL NO: 776 ADOPTED: 12/11/1995

1995 Rezoning Ordinance Index

1	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Pike Township, Councilmanic District 2, 7616 North Michigan Road (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 43
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 12	ADOPTED: 01/09/1995
2	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 23, 1924, 1908, 2002, and 2030 Churchman Avenue (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 45
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 13	ADOPTED: 01/09/1995
3	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 6729-6747 East 38th Street (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 46
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 13	ADOPTED: 01/09/1995
4	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 2, 8503 Evergreen Avenue (rear) (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 47
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 13	ADOPTED: 01/09/1995
5	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 4727 South Denny Street (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 48
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 13	ADOPTED: 01/09/1995
6	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 5583 Stop 11 Road (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 49
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 13	ADOPTED: 01/09/1995
7	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 5583 Stop 11 Road (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 50
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 13	ADOPTED: 01/09/1995
8	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 902 Dr. Martin Luther King Jr. Street (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 51
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 13	ADOPTED: 01/09/1995

1995 Rezoning Ordinance Index

9 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 17, 1811 West Washington Street (approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 84

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 32

ADOPTED: 01/23/1995

10 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 5433 Madison Avenue (approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 85

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 32

ADOPTED: 01/23/1995

11 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 2444 East Washington Street (approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 86

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 32

ADOPTED: 01/23/1995

12 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 1410 South Post Road (approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 87

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 32

ADOPTED: 01/23/1995

13 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Pike Township, Councilmanic District 01, 8460 Georgetown Road (approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 88

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 32

ADOPTED: 01/23/1995

14 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 5820 West Southport Road (approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 89

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 32

ADOPTED: 01/23/1995

15 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 5207 East 38th Street (approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 90

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 32

ADOPTED: 01/23/1995

16 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Decature and Wayne Townships, Councilmanic District 17, 5252 West Troy Avenue (approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 91

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 33

ADOPTED: 01/23/1995

1995 Rezoning Ordinance Index

17	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Pike Township, Councilmanic District 02, 3701 West 46th Street (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 92
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 33	ADOPTED: 01/23/1995
18	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 9820 East Washington Street (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 93
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 33	ADOPTED: 01/23/1995
19	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 1268 North German Church Road (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 94
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 33	ADOPTED: 01/23/1995
20	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 10802 East Troy Avenue (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 95
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 33	ADOPTED: 01/23/1995
21	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 7578 West County Line Road (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 96
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 33	ADOPTED: 01/23/1995
22	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 4404 South High School Road (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 97
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 33	ADOPTED: 01/23/1995
23	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 6621 Hickory Road (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 44
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 34	ADOPTED: 01/23/1995
24	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2801 West Morris Street (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 149
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 115	ADOPTED: 02/13/1995

1995 Rezoning Ordinance Index

25 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 8412 East 46th Street
(approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 150

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 116

ADOPTED: 02/13/1995

26 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 1852 Ludlow Avenue (approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 151

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 116

ADOPTED: 02/13/1995

27 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 1650 Stevens Street (approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 152

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 116

ADOPTED: 02/13/1995

28 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 2229 North Sheldon Street
(approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 153

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 116

ADOPTED: 02/13/1995

29 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District 7, 6222 Douglas Road
(approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 154

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 116

ADOPTED: 02/13/1995

30 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 6350 South Belmont Avenue
(approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 155

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 117

ADOPTED: 02/13/1995

31 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 9, 1126, 1132, 1134, 1140 and 1146
West Roache Avenue (approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 156

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 117

ADOPTED: 02/13/1995

32 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Pike Township, Councilmanic District 9, 4201 Lafayette Road (approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 157

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 117

ADOPTED: 02/13/1995

1995 Rezoning Ordinance Index

33	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 11, 2368 East 38th Street (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 158
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 117	ADOPTED: 02/13/1995
34	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 701, 715-717, 723 Russell Avenue and 718 and 722 South Meridian Street (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 159
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 117	ADOPTED: 02/13/1995
35	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 7006 Oaklandon Road (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 172
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 175	ADOPTED: 02/27/1995
36	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 2, 615 West 63rd Street (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 173
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 175	ADOPTED: 02/27/1995
37	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 2, 615 West 63rd Street (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 174
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 174	ADOPTED: 02/27/1995
38	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 941 and 947 North Keystone Avenue (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 175
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 176	ADOPTED: 02/27/1995
39	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 11794 East Prospect Street (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 176
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 176	ADOPTED: 02/27/1995
40	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 98 East Meridian School Road (approximate address)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 223
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 262	ADOPTED: 03/20/1995

1995 Rezoning Ordinance Index

41 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 1051 West Sumner Avenue
(approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 224

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 263

ADOPTED: 03/20/1995

42 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 230 West Epler Avenue
(approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 225

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 263

ADOPTED: 03/20/1995

43 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 2424 East Washington Street
(approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 226

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 263

ADOPTED: 03/20/1995

44 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 1740 East Thompson Road
(approximate address)

REFERRED TO: Whole Committee

PROPOSAL NO: 227

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 263

ADOPTED: 03/20/1995

45 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 375 East Banta Road (approximate
address) (95-Z-9)

REFERRED TO: Whole Committee

PROPOSAL NO: 253

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 297

ADOPTED: 04/10/1995

46 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 5051 West Bradbury Avenue
(approximate address) (95-Z-13)

REFERRED TO: Whole Committee

PROPOSAL NO: 255

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 297

ADOPTED: 04/10/1995

47 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 8788 Hague Road (approximate
address) (95-Z-14)

REFERRED TO: Whole Committee

PROPOSAL NO: 256

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 297

ADOPTED: 04/10/1995

48 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 14, 9550 East 42nd Street
(approximate address) (95-Z-17)

REFERRED TO: Whole Committee

PROPOSAL NO: 257

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 297

ADOPTED: 04/10/1995

1995 Rezoning Ordinance Index

49	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 6285 Oaklandon Road (approximate address) (94-Z-213)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 258
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 298	ADOPTED: 04/10/1995
50	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 21, 1841-1851 Zwingley Street (approximate address) (95-Z-10)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 259
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 298	ADOPTED: 04/10/1995
51	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 6202 North Shadeland Avenue (Approximate Address) (95-Z-15)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 260
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 298	ADOPTED: 04/10/1995
52	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 10509 Pendleton Pike (approximate address) (95-Z-21)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 261
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 298	ADOPTED: 04/10/1995
53	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District # 5, 10581 Pendleton Pike (approximate address) (95-Z-22)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 262
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 298	ADOPTED: 04/10/1995
54	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 11, 3950 Meadows Drive (approximate address) (95-Z-34)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 263
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 298	ADOPTED: 04/10/1995
55	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 5601 West Thompson Road (approximate address) (94-Z-101)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 294
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 355	ADOPTED: 04/24/1995
56	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 16, 1445-1447 North Tibbs Avenue and 1444-1448 North Groff Avenue (approximate address) (95-Z-12)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 295
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 355	ADOPTED: 04/24/1995

1995 Rezoning Ordinance Index

57	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 6105 Southeastern Avenue (approximate address) (95-Z-6)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 296
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 343	ADOPTED: 04/24/1995
58	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 17, 1621 West Washington Street (approximate address) (95-Z-18)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 297
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 355	ADOPTED: 04/24/1995
59	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2530 West Morris Street (approximate address) (95-Z-19)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 298
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 355	ADOPTED: 04/24/1995
60	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 2115 Southport Road and 23 West Street (approximate address), Southport (95-Z-24)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 299
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 355	ADOPTED: 04/24/1995
61	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Pike Township, Councilmanic District 2, 8403 Michigan Road (approximate address) (95-Z-26)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 300
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 356	ADOPTED: 04/24/1995
62	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 5, 9467 East 38th Street (approximate address) (95-Z-32)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 301
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 356	ADOPTED: 04/24/1995
63	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Pike Township, Councilmanic District 2, 8361 Michigan Road (approximate address) (95-Z-37)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 302
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 356	ADOPTED: 04/24/1995
64	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 2707 East Stop 11 Road (approximate address) (95-Z-40)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 303
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 303	ADOPTED: 04/24/1995

1995 Rezoning Ordinance Index

65	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 11, 4125 North Keystone Avenue (approximate address) (95-Z-41)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 304
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 356	ADOPTED: 04/24/1995
66	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 2347 North Shadeland Avenue (rear) (approximate address) (95-Z-44)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 305
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 356	ADOPTED: 04/24/1995
67	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 8701 and 8702 Lafayette Road (approximate address) (92-Z-109A)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 328
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 385	ADOPTED: 05/08/1995
68	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 8702 Lafayette Road (approximate address) (92-Z-109B)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 329
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 385	ADOPTED: 05/08/1995
69	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 4784 East Edgewood Avenue (approximate address) (95-Z-35)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 330
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 385	ADOPTED: 05/08/1995
70	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 11875 Pendleton Pike (approximate address) Lawrence (94-Z-43 amended)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 331
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 385	ADOPTED: 05/08/1995
71	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Center Township, Councilmanic District 21, 1106, 1108, 1110, 1116-1118 Prospect Street and 1033 Shelby Street (approximate address) (95-Z-7)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 332
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 386	ADOPTED: 05/08/1995
72	SPONSORED BY: Councillor West		
	DIGEST: rezoning ordinance for Washington Township, Councilmanic District 4, 5702 Allisonville Road (approximate address) (95-Z-23)		
	REFERRED TO: Whole Committee		PROPOSAL NO: 334
	APPROVED BY MAYOR: Not Req.	JOURNAL PAGE: 386	ADOPTED: 05/08/1995

1995 Rezoning Ordinance Index

73 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 5320-5352 East 21st Street
(approximate address) (95-Z-51)

REFERRED TO: Whole Committee

PROPOSAL NO: 355

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 412

ADOPTED: 05/22/1995

74 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 2002 North Arlington Avenue
(approximate address) (95-Z-46)

REFERRED TO: Whole Committee

PROPOSAL NO: 356

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 412

ADOPTED: 05/22/1995

75 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 717 South East Street (approximate
address) (95-Z-47 Amended)

REFERRED TO: Whole Committee

PROPOSAL NO: 357

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 412

ADOPTED: 05/22/1995

76 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 905 East Troy Avenue (approximate
address) (95-Z-56)

REFERRED TO: Whole Committee

PROPOSAL NO: 358

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 412

ADOPTED: 05/22/1995

77 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 3006 West Southport Road
(approximate address) (95-Z-57)

REFERRED TO: Whole Committee

PROPOSAL NO: 359

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 413

ADOPTED: 05/22/1995

78 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 7919-7811 Laverne Street
(approximate address) (95-Z-59)

REFERRED TO: Whole Committee

PROPOSAL NO: 360

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 413

ADOPTED: 05/22/1995

79 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 7610 South Meridian Street
(approximate address) (95-Z-60)

REFERRED TO: Whole Committee

PROPOSAL NO: 361

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 413

ADOPTED: 05/22/1995

80 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District 7, 2415 East 72nd Street
(approximate address) (95-Z-63)

REFERRED TO: Whole Committee

PROPOSAL NO: 362

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 412

ADOPTED: 05/22/1995

1995 Rezoning Ordinance Index

81 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 6950 North Michigan Road
(approximate address) (95-Z-45)

REFERRED TO: Whole Committee

PROPOSAL NO: 399

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 439

ADOPTED: 06/12/1995

82 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District 2, 615 West 63rd Street
(approximate address) (94-Z-137C)

REFERRED TO: Whole Committee

PROPOSAL NO: 400

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 440

ADOPTED: 06/12/1995

83 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 4820-4830 South Emerson Avenue
(approximate address) (95-Z-66)

REFERRED TO: Whole Committee

PROPOSAL NO: 401

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 440

ADOPTED: 06/12/1995

84 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 6378 Bluf Road (approximate
address) (94-Z-206)

REFERRED TO: Whole Committee

PROPOSAL NO: 402

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 440

ADOPTED: 06/12/1995

85 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance ofr Center Township, Councilmanic District 15, 3401 East New York Street
(approximate address) (95-Z-52)

REFERRED TO: Whole Committee

PROPOSAL NO: 403

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 440

ADOPTED: 06/12/1995

86 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2024 Stout Field East Drive
(approximate address) (95-Z-68)

REFERRED TO: Whole Committee

PROPOSAL NO: 404

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 440

ADOPTED: 06/12/1995

87 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2002 South Holt Road
(approximate address) (95-Z- 69)

REFERRED TO: Whole Committee

PROPOSAL NO: 405

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 440

ADOPTED: 06/12/1995

88 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 3518 Tansel Road (approximate
address) Clermont (95-Z-76)

REFERRED TO: Whole Committee

PROPOSAL NO: 406

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 440

ADOPTED: 06/12/1995

1995 Rezoning Ordinance Index

89 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 8101 Dean Road (approximate address) (95-Z-53)

REFERRED TO: Whole Committee

PROPOSAL NO: 427

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 488

ADOPTED: 06/26/1995

90 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 4784 East Edgewood Avenue (approximate address) (95-Z-73)

REFERRED TO: Whole Committee

PROPOSAL NO: 428

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 488

ADOPTED: 06/26/1995

91 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 6673 South Emerson Avenue (approximate address) (95-DP-5)

REFERRED TO: Whole Committee

PROPOSAL NO: 430

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 488

ADOPTED: 06/26/1995

92 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 7531 Trotter Road (approximate address) (95-Z-61)

REFERRED TO: Whole Committee

PROPOSAL NO: 431

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 488

ADOPTED: 06/26/1995

93 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 7881 South Emerson Avenue (approximate address) (95-Z-67)

REFERRED TO: Whole Committee

PROPOSAL NO: 432

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 488

ADOPTED: 06/26/1995

94 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 501 Madison Avenue (approximate address) (95-Z-71)

REFERRED TO: Whole Committee

PROPOSAL NO: 433

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 488

ADOPTED: 06/26/1995

95 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 6450 West Hanna Avenue (approximate address) (95-Z-82)

REFERRED TO: Whole Committee

PROPOSAL NO: 434

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 488

ADOPTED: 06/26/1995

96 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 2401 National Avenue (approximate address) (95-Z-83)

REFERRED TO: Whole Committee

PROPOSAL NO: 435

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 488

ADOPTED: 06/26/1995

1995 Rezoning Ordinance Index

97 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 2405 National Avenue (approximate address) (95-Z-84)

REFERRED TO: Whole Committee

PROPOSAL NO: 436

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 488

ADOPTED: 06/26/1995

98 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 6174 Churchman Avenue (approximate address) (95-Z-70)

REFERRED TO: Whole Committee

PROPOSAL NO: 467

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 539

ADOPTED: 07/17/1995

99 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 5880 Mann Road (approximate address) (95-Z-72)

REFERRED TO: Whole Committee

PROPOSAL NO: 469

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 539

ADOPTED: 07/17/1995

100 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 4935 North High School Road (approximate address) (95-Z-78)

REFERRED TO: Whole Committee

PROPOSAL NO: 470

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 539

ADOPTED: 07/17/1995

101 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 8004 Brookville Road (approximate address) (95-Z-81)

REFERRED TO: Whole Committee

PROPOSAL NO: 471

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 539

ADOPTED: 07/17/1995

102 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 6361 East 34th Street (approximate address) (95-Z-87)

REFERRED TO: Whole Committee

PROPOSAL NO: 472

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 539

ADOPTED: 07/17/1995

103 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 20, 2005-2025 South Barth Avenue (approximate address) (95-Z-90)

REFERRED TO: Whole Committee

PROPOSAL NO: 473

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 539

ADOPTED: 07/17/1995

104 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 310 West Michigan Street (approximate address) (95-Z-91)

REFERRED TO: Whole Committee

PROPOSAL NO: 474

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 539

ADOPTED: 07/17/1995

1995 Rezoning Ordinance Index

105 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 2503 Central Avenue (approximate address) (95-Z-96)

REFERRED TO: Whole Committee

PROPOSAL NO: 475

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 539

ADOPTED: 07/17/1995

106 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 6, 3333 North Meridian Street (approximate address) (95-Z-98)

REFERRED TO: Whole Committee

PROPOSAL NO: 476

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 539

ADOPTED: 07/17/1995

107 SPONSORED BY: Councillor West

DIGEST: Rezoning Ordinance for Franklin Township, Councilmanic District 23, 5577 East Thompson Road (approximate address) (95-Z-65)

REFERRED TO: Whole Committee

PROPOSAL NO: 506

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 571

ADOPTED: 07/19/1995

108 SPONSORED BY: Councillor West

DIGEST: Rezoning Ordinance for Franklin Township, Councilmanic District 23, 5886 South Franklin Road (approximate address) (95-Z-28A)

REFERRED TO: Whole Committee

PROPOSAL NO: 507

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 571

ADOPTED: 07/19/1995

109 SPONSORED BY: Councillor West

DIGEST: Rezoning Ordinance for Franklin Township, Councilmanic District 23, 5606 South Franklin Road (approximate address) (95-Z-28B)

REFERRED TO: Whole Committee

PROPOSAL NO: 508

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 571

ADOPTED: 07/19/1995

110 SPONSORED BY: Councillor West

DIGEST: Rezoning Ordinance for Decatur Township, Councilmanic District 19, 5882 - 5514 West Hanna Avenue (approximate address) (95-Z-122)

REFERRED TO: Whole Committee

PROPOSAL NO: 509

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 571

ADOPTED: 07/19/1995

111 SPONSORED BY: Councillor West

DIGEST: Rezoning Ordinance for Warren Township, Councilmanic District 19, 1701 Mitthoefer Road (approximate address) (95-Z-80)

REFERRED TO: Whole Committee

PROPOSAL NO: 510

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 571

ADOPTED: 07/19/1995

112 SPONSORED BY: Councillor West

DIGEST: Rezoning Ordinance for Perry Township, Councilmanic District 20, 7218 U.S. Highway 31 South (approximate address) (95-Z-88)

REFERRED TO: Whole Committee

PROPOSAL NO: 511

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 571

ADOPTED: 07/19/1995

1995 Rezoning Ordinance Index

113 SPONSORED BY: Councillor West

DIGEST: Rezoning Ordinance for Center Township, Councilmanic District 22, 1920, 1929 Columbia Avenue (approximate address) (95-Z-93)

REFERRED TO: Whole Committee

PROPOSAL NO: 512

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 571

ADOPTED: 07/19/1995

114 SPONSORED BY: Councillor West

DIGEST: Rezoning Ordinance for Warren Township, Councilmanic District 13, 601 and 802 South Kitley Avenue (approximate address) (95-Z-104)

REFERRED TO: Whole Committee

PROPOSAL NO: 513

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 572

ADOPTED: 07/19/1995

115 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 9602-9902 Fall Creek Road (approximate address) (95-Z-42) (95-DP-2)

REFERRED TO: Whole Committee

PROPOSAL NO: 468

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 572

ADOPTED: 08/01/1995

116 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 6950 North Michigan Road (approximate address)(95-Z-45)(Amended)

REFERRED TO: Whole Committee

PROPOSAL NO: 561

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 610

ADOPTED: 08/28/1995

117 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Pike Township, Councilmanic District 9, 5891 West 56th Street(approximate address)(95-Z-79)

REFERRED TO: Whole Committee

PROPOSAL NO: 562

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 610

ADOPTED: 08/28/1995

118 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 8004 Brookville Road (approximate address)(95-Z-81)

REFERRED TO: Whole Committee

PROPOSAL NO: 563

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 610

ADOPTED: 08/28/1995

119 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 14, 10304 East 38th St.(approximate address)(95-Z-103)

REFERRED TO: Whole Committee

PROPOSAL NO: 564

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 610

ADOPTED: 08/28/1995

120 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 3045 North Arlington Avenue(approximate address)(95-Z-94 Amended)

REFERRED TO: Whole Committee

PROPOSAL NO: 565

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 611

ADOPTED: 08/28/1995

1995 Rezoning Ordinance Index

121 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 11288 East 63rd Street,(approximate address)(95-Z-95)

REFERRED TO: Whole Committee

PROPOSAL NO: 566

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 611

ADOPTED: 08/28/1995

122 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 14, 9003 East 46th Street(approximate address)(95-Z-101)

REFERRED TO: Whole Committee

PROPOSAL NO: 567

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 611

ADOPTED: 08/28/1995

123 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 3939 East Stop 11 Road (approximate address)(95-Z-102)

REFERRED TO: Whole Committee

PROPOSAL NO: 568

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 611

ADOPTED: 08/28/1995

124 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District 5, 3550 North Mitthoefer Road (Rear) (Approximate Address)(95-Z-111 Amended)

REFERRED TO: Whole Committee

PROPOSAL NO: 569

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 611

ADOPTED: 08/28/1995

125 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 7801 McFarland Road (Approximate Address)(95-Z-112)

REFERRED TO: Whole Committee

PROPOSAL NO: 570

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 611

ADOPTED: 08/28/1995

126 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 8277 Craig Street (Approximate Address)(95-Z-114)

REFERRED TO: Whole Committee

PROPOSAL NO: 571

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 611

ADOPTED: 08/28/1995

127 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 17, 1532 West Washington Street (approximate address)(95-Z-115)

REFERRED TO: Whole Committee

PROPOSAL NO: 572

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 611

ADOPTED: 08/28/1995

128 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 955-985 Indiana Avenue (approximate address) (95-Z-118)

REFERRED TO: Whole Committee

PROPOSAL NO: 573

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 611

ADOPTED: 08/28/1995

1995 Rezoning Ordinance Index

129 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 8330 Crawfordsville Road
(approximate address)(95-Z-74 Amended)

REFERRED TO: Whole Committee

PROPOSAL NO: 576

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 612

ADOPTED: 08/28/1995

130 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 8350 Crawfordsville Road
(approximate address)(95-Z-75 Amended)

REFERRED TO: Whole Committee

PROPOSAL NO: 577

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 612

ADOPTED: 08/28/1995

131 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 6715 East Washington Street
(approximate address)(95-Z-106)

REFERRED TO: Whole Committee

PROPOSAL NO: 578

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 613

ADOPTED: 08/28/1995

132 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 3816-3820 East Washington Street
(approximate address) (95-Z-120)

REFERRED TO: Whole Committee

PROPOSAL NO: 579

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 613

ADOPTED: 08/28/1995

133 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 618 and 622 South Meridian Street
(approximate address)(95-Z-123)

REFERRED TO: Whole Committee

PROPOSAL NO: 580

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 613

ADOPTED: 08/28/1995

134 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District 2, 1025 West 64 Street
(approximate address) (95-Z-125)

REFERRED TO: Whole Committee

PROPOSAL NO: 581

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 613

ADOPTED: 08/28/1995

135 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 620 South Capitol Avenue
(approximate address)(95-Z-127)

REFERRED TO: Whole Committee

PROPOSAL NO: 582

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 613

ADOPTED: 08/28/1995

136 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 8377 East 96th Street
(approximate address) (95-Z-54)

REFERRED TO: Whole Committee

PROPOSAL NO: 574

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 759

ADOPTED: 09/11/1995

1995 Rezoning Ordinance Index

137 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 9589 Hague Road (approximate Address) (95-Z-55)

REFERRED TO: Whole Committee

PROPOSAL NO: 575

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 759

ADOPTED: 09/11/1995

138 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 956 North Gibson Street (approximate address) (95-Z-62)

REFERRED TO: Whole Committee

PROPOSAL NO: 603

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 763

ADOPTED: 09/11/1995

139 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 5102 Stanley Road (approximate address) (95-Z-64)

REFERRED TO: Whole Committee

PROPOSAL NO: 604

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 763

ADOPTED: 09/11/1995

140 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District 5, 11550 East 30th Street (approximate address) (95-Z-100)

REFERRED TO: Whole Committee

PROPOSAL NO: 605

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 764

ADOPTED: 09/11/1995

141 SPONSORED BY: Councillor

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 6282 West 21st Street (approximate address) (95-Z-113)

REFERRED TO: Whole Committee

PROPOSAL NO: 606

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 764

ADOPTED: 09/11/1995

142 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 5607 West 86 Street (approximate address) (95-Z-119)

REFERRED TO: Whole Committee

PROPOSAL NO: 607

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 764

ADOPTED: 09/11/1995

143 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 9, 517 West 30th Street (approximate address) (95-Z-121)

REFERRED TO: Whole Committee

PROPOSAL NO: 608

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 764

ADOPTED: 09/11/1995

144 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 2415 West Thompson Road (approximate address) (95-Z-132)

REFERRED TO: Whole Committee

PROPOSAL NO: 609

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 764

ADOPTED: 09/11/1995

1995 Rezoning Ordinance Index

145 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 8926 Shelby Street (approximate address) (95-Z-50)

REFERRED TO: Whole Committee

PROPOSAL NO: 655

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 825

ADOPTED: 09/25/1995

146 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 5901 East Thompson Road (approximate address) (95-Z-110)

REFERRED TO: Whole Committee

PROPOSAL NO: 656

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 825

ADOPTED: 09/25/1995

147 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 4014 W. Washington Street (approximate address) (95-Z-117)

REFERRED TO: Whole Committee

PROPOSAL NO: 657

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 825

ADOPTED: 09/25/1995

148 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 373 S. Illinois Street (approximate address) (95-z-122)

REFERRED TO: Municipal Corporations Committee

PROPOSAL NO: 658

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 825

ADOPTED: 09/25/1995

149 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 1280 W. Thompson Road, (approximate address) (95-z-133)

REFERRED TO: Whole Committee

PROPOSAL NO: 659

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 825

ADOPTED: 09/25/1995

150 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 131 and 145 East Fall Creek Parkway South Drive, (approximate address) (95-z-136)

REFERRED TO: Whole Committee

PROPOSAL NO: 660

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 825

ADOPTED: 09/25/1995

151 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 5515 Bluff Road (approximate address) (95-z-137)

REFERRED TO: Whole Committee

PROPOSAL NO: 661

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 826

ADOPTED: 09/25/1995

152 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 4502 South Harding Street (approximate address) (95-z-141)

REFERRED TO: Whole Committee

PROPOSAL NO: 662

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 826

ADOPTED: 09/25/1995

1995 Rezoning Ordinance Index

153 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 3520 Mann Road (approximate address) (95-z-142)

REFERRED TO: Whole Committee

PROPOSAL NO: 663

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 826

ADOPTED: 09/25/1995

154 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 2210 W. Southport Road (approximate address) (95-z-144)

REFERRED TO: Whole Committee

PROPOSAL NO: 664

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 826

ADOPTED: 09/25/1995

155 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Warren Township, Councilmatic District 12 11379 East 21st Street (approximate address)(95-Z-139)

REFERRED TO: Whole Committee

PROPOSAL NO: 701

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 980

ADOPTED: 10/16/1995

156 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Warren Township, Councilmatic District 12, 11378 East 21 Street (approximate address)(95-Z-140)

REFERRED TO: Whole Committee

PROPOSAL NO: 702

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 980

ADOPTED: 10/16/1995

157 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance Warren Township, Councilmatic District 13, 6743 E Washington Street (approximate address)(95-Z-126)

REFERRED TO: Whole Committee

PROPOSAL NO: 703

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 981

ADOPTED: 10/16/1995

158 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance Center Township, Councilmatic District 21, 2809-2819 E Washington Street (approximate address)(95-Z-130)

REFERRED TO: Whole Committee

PROPOSAL NO: 704

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 981

ADOPTED: 10/16/1995

159 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance Center Township, Councilmatic District 21, 1845-1940 Churchman Avenue and 2338-2346 Reformers Avenue (approximate address)(95-Z-131)

REFERRED TO: Whole Committee

PROPOSAL NO: 705

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 981

ADOPTED: 10/16/1995

160 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance Center Township, Councilmatic District 22, 524 North Park Avenue (approximate address)(95-Z-134)

REFERRED TO: Whole Committee

PROPOSAL NO: 706

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 981

ADOPTED: 10/16/1995

1995 Rezoning Ordinance Index

161 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance Center Township, Councilmatic District 22, 811 Massachusetts Avenue (approximate address)(95-Z-148)

REFERRED TO: Whole Committee

PROPOSAL NO: 707

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 981

ADOPTED: 10/16/1995

162 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance Center Township, Councilmatic District 21, 2409, 2411, 2423 and 2425 English Avenue (approximate address)(95-Z-157)

REFERRED TO: Whole Committee

PROPOSAL NO: 708

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 981

ADOPTED: 10/16/1995

163 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Franklin Township, Councilmatic District 23, 5577 East Thompson Road (approximate address)(95-Z-65)

REFERRED TO: Whole Committee

PROPOSAL NO: 709

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 981

ADOPTED: 10/16/1995

164 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Wayne Township, Councilmatic District 18, 8078 West 21 Street (approximate address)(95-Z-107)

REFERRED TO: Whole Committee

PROPOSAL NO: 710

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 982

ADOPTED: 10/16/1995

165 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Center Township, Councilmatic District 21, 2233 East Washington Street (approximate address)(95-Z-108)

REFERRED TO: Whole Committee

PROPOSAL NO: 711

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 982

ADOPTED: 10/16/1995

166 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Pike Township, Councilmanic District #1, 8004 West 88 Street (approximate address) (95-Z-4)

REFERRED TO: Whole Committee

PROPOSAL NO: 738

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1046

ADOPTED: 10/30/1995

167 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 5950 Kentucky Avenue (approximate address) (95-Z-149)

REFERRED TO: Whole Committee

PROPOSAL NO: 739

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1047

ADOPTED: 10/30/1995

168 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District #13, 6617 East Washington Street (approximate address) (95-Z-129)

REFERRED TO: Whole Committee

PROPOSAL NO: 740

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1047

ADOPTED: 10/30/1995

1995 Rezoning Ordinance Index

169 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District #22, 130 East 30th Street (approximate address) (95-Z-158)

REFERRED TO: Whole Committee

PROPOSAL NO: 741

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1047

ADOPTED: 10/30/1995

170 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District # 18, 8465 Crawfordsville Road (approximate address) (95-Z-159)

REFERRED TO: Whole Committee

PROPOSAL NO: 742

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1047

ADOPTED: 10/30/1995

171 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District #10, 3418 East 20th Street (approximate address) (95-Z-161)

REFERRED TO: Whole Committee

PROPOSAL NO: 743

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1047

ADOPTED: 10/30/1995

172 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District #18, 2551 Tansel Road (rear) (approximate address) (95-Z-164)

REFERRED TO: Whole Committee

PROPOSAL NO: 744

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1047

ADOPTED: 10/30/1995

173 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District #18, 2351 Tansel Road (rear) (approximate address) (95-Z-165)

REFERRED TO: Whole Committee

PROPOSAL NO: 745

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1047

ADOPTED: 10/30/1995

174 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District #6, 4728-4750 North Keystone Avenue (approximate address) (95-Z-166)

REFERRED TO: Whole Committee

PROPOSAL NO: 746

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1047

ADOPTED: 10/30/1995

175 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Warren Township, Councilmanic District #10, 6848-6850 East 21st Street (approximate address) (95-Z-167)

REFERRED TO: Whole Committee

PROPOSAL NO: 747

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1048

ADOPTED: 10/30/1995

176 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Perry Township, Councilmanic District #25, 8926 Shelby Street (approximate address) (95-Z-50)

REFERRED TO: Whole Committee

PROPOSAL NO: 748

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1048

ADOPTED: 10/30/1995

1995 Rezoning Ordinance Index

177 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Pike Township, Councilmanic District #2, 8444 North Michigan Road, (approximate address) (94-z-91)

REFERRED TO: Whole Committee

PROPOSAL NO: 785

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1109

ADOPTED: 11/20/1995

178 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District #3, 8611 North Haverstick Road (approximate address) (95-z-85)

REFERRED TO: Whole Committee

PROPOSAL NO: 786

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1109

ADOPTED: 11/20/1995

179 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Decatur Township, Councilmanic District #19, 8610 Camby Road (approximate address) (95-z-135)

REFERRED TO: Whole Committee

PROPOSAL NO: 787

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1109

ADOPTED: 11/20/1995

180 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Washington Township, Councilmanic District 7, 2558 East 55th Place (approximate address) (95-Z-151)

REFERRED TO: Whole Committee

PROPOSAL NO: 788

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1109

ADOPTED: 11/20/1995

181 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Wayne Township, Councilmanic District 19, 9202 West Washington Street (approximate address) (95-Z-152)

REFERRED TO: Whole Committee

PROPOSAL NO: 789

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1109

ADOPTED: 11/20/1995

182 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Lawrence Township, Councilmanic District 5, 10601 Pendleton Pike (approximate address) (95-Z-154)

REFERRED TO: Whole Committee

PROPOSAL NO: 790

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1109

ADOPTED: 11/20/1995

183 SPONSORED BY: Councillor West

DIGEST: Rezoning Ordinance for Wayne Township, Councilmanic District 18, 8215 West Washington Street (approximate address) (95-Z-169)

REFERRED TO: Whole Committee

PROPOSAL NO: 791

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1109

ADOPTED: 11/20/1995

184 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Center Township, Councilmanic District 9, 1007 West 30th Street (approximate address) (95-Z-175)

REFERRED TO: Whole Committee

PROPOSAL NO: 792

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1109

ADOPTED: 11/20/1995

1995 Rezoning Ordinance Index

185 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Perry Township, Councilmanic District 24, 1281 East Troy (approximate address) (95-Z-177)

REFERRED TO: Whole Committee

PROPOSAL NO: 793

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1110

ADOPTED: 11/20/1995

186 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 402 North High School Road (approximate address) (95-Z-145)

REFERRED TO: Whole Committee

PROPOSAL NO: 794

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1110

ADOPTED: 11/20/1995

186 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 7216 Hague Road (approximate address) (95-Z-147)

REFERRED TO: Whole Committee

PROPOSAL NO: 795

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1110

ADOPTED: 11/20/1995

188 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Center Township, Councilmanic District 25, 1337-1355 South Meridian Street (approximate address) (95-Z-155)

REFERRED TO: Whole Committee

PROPOSAL NO: 796

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1110

ADOPTED: 11/20/1995

189 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 5206 Rockville Road (approximate address) (95-Z-163)

REFERRED TO: Whole Committee

PROPOSAL NO: 797

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1110

ADOPTED: 11/20/1995

190 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Lawrence Township, Councilmanic District 4, 6520 East 82nd St. (approximate address) (95-Z-181)

REFERRED TO: Whole Committee

PROPOSAL NO: 798

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1110

ADOPTED: 11/20/1995

191 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Center Township, Councilmanic District 22, 419 North College Ave, (approximate address) (95-Z-182)

REFERRED TO: Whole Committee

PROPOSAL NO: 799

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1110

ADOPTED: 11/20/1995

192 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Perry Township, Councilmanic District 24, 5728 South Emerson (approximate address) (95-Z-183)

REFERRED TO: Whole Committee

PROPOSAL NO: 800

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1110

ADOPTED: 11/20/1995

1995 Rezoning Ordinance Index

193 SPONSORED BY: Councillor West

DIGEST: Rezoning ordinance for Warren Township, Councilmanic District 13, 6021-6029 Southeastern Avenue (approximate address) (95-Z-185)

REFERRED TO: Whole Committee

PROPOSAL NO: 801

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1110

ADOPTED: 11/20/1995

194 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Pike Township, Councilmanic District 2, 7450 New Augusta Road (approximate address) (95-Z-153)

REFERRED TO: Whole Committee

PROPOSAL NO: 817

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1191

ADOPTED: 12/11/1995

195 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 9, 1708 West 30th Street, (approximate address) (95-Z-173)

REFERRED TO: Whole Committee

PROPOSAL NO: 818

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1191

ADOPTED: 12/11/1995

196 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 6301 Zionsville Road (approximate address) (95-Z-162)

REFERRED TO: Whole Committee

PROPOSAL NO: 819

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1191

ADOPTED: 12/11/1995

197 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 3218 Harper Road, (approximate address) (95-Z-146)

REFERRED TO: Whole Committee

PROPOSAL NO: 820

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1191

ADOPTED: 12/11/1995

198 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District 4, 5085 East 64th Street (approximate address) (95-Z-156)

REFERRED TO: Whole Committee

PROPOSAL NO: 821

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1191

ADOPTED: 12/11/1995

199 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District 7, 6202-6230 North College Avenue and 660 East 62nd Street, (approximate address) (95-Z-160)

REFERRED TO: Whole Committee

PROPOSAL NO: 822

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1191

ADOPTED: 12/11/1995

200 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 2425 East Michigan Street (approximate address) (95-Z-174)

REFERRED TO: Whole Committee

PROPOSAL NO: 823

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 1191

ADOPTED: 12/11/1995

1995 Rezoning Ordinance Index

201 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 8380 Kelly Lane (approximate address) (95-Z-176)

REFERRED TO: Whole Committee

PROPOSAL NO: 824

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1192

ADOPTED: 12/11/1995

202 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 4902 Mann Road, (approximate address) (95-Z-178)

REFERRED TO: Whole Committee

PROPOSAL NO: 825

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1192

ADOPTED: 12/11/1995

203 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 6231 South Arlington Avenue, (approximate address) (95-Z-186)

REFERRED TO: Whole Committee

PROPOSAL NO: 826

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1192

ADOPTED: 12/11/1995

204 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 408 South Meridian Street a.k.a. 19 West Street (approximate address) (95-Z-187)

REFERRED TO: Whole Committee

PROPOSAL NO: 827

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1192

ADOPTED: 12/11/1995

205 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 521 North College Avenue (approximate address) (95-Z-188)

REFERRED TO: Whole Committee

PROPOSAL NO: 828

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1192

ADOPTED: 12/11/1995

206 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Washington Township, Councilmanic District 11, 3850 North Keystone Avenue (approximate address) (95-Z-191)

REFERRED TO: Whole Committee

PROPOSAL NO: 829

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1192

ADOPTED: 12/11/1995

207 SPONSORED BY: Councillor West

DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 4001 South Emerson Avenue (approximate address) Beech Grove (95-Z-193)

REFERRED TO: Whole Committee

PROPOSAL NO: 830

APPROVED BY MAYOR: Not Req.

JOURNAL PAGE: 1192

ADOPTED: 12/11/1995

1995 P.S.S.D.F.O. Index

1 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Police Service District Fund in the amount of \$27,918 for the Department of Public Safety, Police Division, to fund an additional staff position for the Crime Stoppers program financed by a grant from the Indianapolis Foundation

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 121

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 238

ADOPTED: 02/27/1995

2 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Police Service District Fund in the amount of \$621,992 for the Department of Public Safety, Police Division, to establish a Weed and Seed National Demonstration Program financed by a U.S. Department of Justice grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 123

APPROVED BY MAYOR: Not Req. JOURNAL PAGE: 248

ADOPTED: 03/20/1995

3 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation from the Police Service District Fund in the amount of \$679,842 for the Department of Public Safety, Police Division, to hire eighteen police officers financed by a U.S. Department of Justice grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 122

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 320

ADOPTED: 04/10/1995

4 SPONSORED BY: Councillor Dowden

DIGEST: the annual budget for the Police Special Service District for 1996

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 498

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 827

ADOPTED: 09/25/1995

5 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$30,000 for the Department of Public Safety, Police Division, acting as a intermediary agent, to expand the Indianapolis Police Athletic League's community policing youth activities financed by a state grant

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 672

APPROVED BY MAYOR: 11/03/1995 JOURNAL PAGE: 1086

ADOPTED: 10/30/1995

1995 F.S.S.D.F.O. Index

1 SPONSORED BY: Councillor Dowden

DIGEST: the annual budget for the Fire Special Service District for 1996

REFERRED TO: Public Safety and Criminal Justice Committee

PROPOSAL NO: 499

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 832

ADOPTED: 09/25/1995

1995 S.W.C.S.S.D.F.O. Index

1 SPONSORED BY: Councillor West

DIGEST: an appropriation from the Solid Waste Collection Service District Fund in the amount of \$1,630,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to clean up demolished buildings under the Unsafe Building Program financed by the unappropriated and unencumbered balance in that fund

REFERRED TO: Public Works Committee

PROPOSAL NO: 110

APPROVED BY MAYOR: 04/17/1995 JOURNAL PAGE: 321

ADOPTED: 04/10/1995

2 SPONSORED BY: Councillor Dowden

DIGEST: an appropriation of \$716,791 for the Department of Public Works, Contract Compliance Division, to contract with the Department of Public Safety, Animal Control Division, for the operation of the animal control shelter operations beginning July 1, 1995 financed by revenues from the Solid Waste Collection Fund

REFERRED TO: Public Works Committee

PROPOSAL NO: 124

APPROVED BY MAYOR: 09/15/1995 JOURNAL PAGE: 765

ADOPTED: 09/11/1995

3 SPONSORED BY: Councillor Coughenour

DIGEST: the annual budget for the Solid Waste Collection Special Service District for 1996

REFERRED TO: Public Works Committee

PROPOSAL NO: 500

APPROVED BY MAYOR: 09/28/1995 JOURNAL PAGE: 837

ADOPTED: 09/25/1995

4 SPONSORED BY: Councillor Coughenour

DIGEST: an appropriation of \$275,000 for the Department of Public Works, Solid Waste Management Division, to fund overtime for the fall leaf program financed by a transfer within the division's Solid Waste Collection Fund

REFERRED TO: Public Works Committee

PROPOSAL NO: 632

APPROVED BY MAYOR: 10/20/1995 JOURNAL PAGE: 1002

ADOPTED: 10/16/1995







